

Columbus City Bulletin



Bulletin #51
December 18, 2010

Proceedings of City Council

Saturday December 18, 2010



SIGNING OF LEGISLATION

(With the exception of Ordinances 1585-2010, 1780-2010, 1773-2010, 0180X-2010 and 1705-2010 which were signed by President Pro Tem Hearcel F. Craig on the night of the Council meeting; all other legislation was signed by Council President Michael C. Mentel on the night of the Council meeting, Monday, *December 13, 2010*; by Mayor, Michael B. Coleman on *Tuesday, December 14, 2010*, with the exception of 1824-2010 which was signed on Monday, 12/13; and attested by the City Clerk, prior to Bulletin publishing.)

The City Bulletin **Official Publication of the City of Columbus**

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215, 614-645-7380. The City Bulletin contains the official report of the proceedings of Council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, public notices; and details pertaining to official actions of all city departments. If noted within ordinance text, supplemental and support documents are available upon request to the City Clerk's Office.

Council Journal (minutes)



City of Columbus

Journal - Final

Columbus City Council

Office of City Clerk
90 West Broad Street
Columbus OH
43215-9015
columbuscitycouncil.org

ELECTRONIC READING OF MEETING DOCUMENTS AVAILABLE DURING COUNCIL OFFICE HOURS. CLOSED CAPTIONING IS AVAILABLE IN COUNCIL CHAMBERS. ANY OTHER SPECIAL NEEDS REQUESTS SHOULD BE DIRECTED TO THE CITY CLERK'S OFFICE AT 645-7380 BY FRIDAY PRIOR TO THE COUNCIL MEETING.

Monday, December 13, 2010

5:00 PM

Columbus City Council

Columbus City Council

Journal

December 13, 2010

REGULAR MEETING NO. 64 OF COLUMBUS CITY COUNCIL, DECEMBER 13, 2010 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

READING AND DISPOSAL OF THE JOURNAL

A motion was made by Craig, seconded by Ms. Tavares, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

C0039-2010

THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS OF WEDNESDAY DECEMBER 8, 2010.

New Type: C1, C2
To: Capital City Beverage Inc
DBA Metro Drive Thru
451 Lazelle Rd
Columbus OH 43081
Permit # 12385320040

New Type: D4
To: Columbus Fire Fighters Beneficial Association
379 W Broad St
Columbus OH 43215
Permit # 1653268

New Type: C1, C2
To: Shan Carryout LLC
2598 N High St
Columbus OH 43202
Permit # 8035931

Transfer Type: C1, C2, D6
 To: 14 0 Hudson Inc
 14 0 Express
 355 E Hudson St
 Columbus OH 43202
 From: 14 0 Inc
 355 E Hudson St
 Columbus OH 43202
 Permit # 2847801

New Type: C1, C2
 To: Majha Oil LLC
 DBA Al Sunoco
 726 W Broad St
 Columbus OH 43222
 Permit# 54431550005

Advertise: 12/18/2010
 Return: 12/28/2010

RESOLUTIONS OF EXPRESSION

GINTHER

0183X-2010

To recognize and commend Assistant Chief Richard A. Braun for his 36 years of distinguished service to the City of Columbus and the Columbus Division of Fire.

Sponsors: Andrew Ginther, Hearcel Craig, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares, Priscilla Tyson and Michael C. Mentel

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

TAVARES

0173X-2010

To honor and congratulate Horizon Science Academy Columbus on its academic achievement and recognition as a "School of Excellence" for the second year in a row.

Sponsors: Charleta B. Tavares, Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Priscilla Tyson and Michael C. Mentel

A motion was made by Ms. Tavares, seconded by Tyson, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0178X-2010

To honor and celebrate the 2010 Hartley Hawk Football Family for being crowned State Champions in Division IV.

Sponsors: Charleta B. Tavares, Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Priscilla Tyson and Michael C. Mentel

A motion was made by Ms. Tavares, seconded by Tyson, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

ADDITIONS OR CORRECTIONS TO THE AGENDA

THE FOLLOWING ORDINANCES WERE REMOVED FROM THE CONSENT PORTION OF THE AGENDA AND VOTED ON LATER IN THE MEETING

PUBLIC SERVICE & TRANSPORTATION COMMITTEE: ORDINANCE 1569-2010

A MOTION WAS MADE BY COUNCILMEMBER CRAIG, SECONDED BY COUNCILMEMBER TYSON TO WAIVE THE READING OF THE TITLES OF FIRST READING LEGISLATION. THE MOTION CARRIED THE FOLLOWING VOTE:

AFFIRMATIVE: 7 NEGATIVE: 0

FIRST READING OF 30-DAY LEGISLATION

FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR. MILLER, TYSON MENTEL

1778-2010 FR To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Dynamix Engineering, Ltd. for professional architectural and engineering consulting services for the renovation of the ventilation system at the North Market, 59 Spruce Street; and to authorize the expenditure of \$136,720.00 from the Construction Management Capital Improvement Fund. (\$136,720.00)

Read for the First Time

PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. PALEY TAVARES MENTEL

1783-2010 FR To authorize the Director of Public Service to enter into a contract in the amount of \$562,663.09 with Columbus Asphalt Paving, Inc, for construction of the UIRF - Holtzman/Main roadway and sewer improvement project for the Division of Design and Construction; to provide for construction inspection costs in the amount of \$84,399.46; to authorize the expenditure of \$351,456.03 from the Build America Bonds Fund for the Department of Public Service; to authorize a transfer and expenditure of \$295,606.52 within the Storm Sewer Bond Fund, for the Department of Public Utilities; and to amend the 2010 Capital Improvements Budget. (\$647,062.55)

Read for the First Time

1789-2010 FR To authorize the Director of Public Service to submit applications for Job Access Reverse Commute (JARC) and New Freedom grant funding from the Federal Transit Administration administered by the local agent, Central Ohio Transit Authority (COTA), and to execute project agreement forms for approved projects for the Department of Public Service on behalf of the City of Columbus, and to authorize the Director of Finance and Management and City Auditor, as appropriate, to sign for funding use certification and local match availability up to the amount of \$653,898.00 for JARC and \$357,884.00 for New Freedom.

Read for the First Time

1790-2010 FR To authorize the Director of Public Service to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for an Urban Paving Project on US-33 (Dublin Road) from the Marble Cliff south corporation line to the

Grandview Heights/Columbus corporation line east of Grandview Avenue.
(\$0)

Read for the First Time

- 1793-2010** FR To accept various deeds for parcels of real property; to dedicate these parcels as public rights-of-way and to name said rights-of-way as North High Street (S.R. 23), El Toro Drive, North High Street, Shook Road, Cassady Avenue, Stimmel Road, Mock Road, Morse Road, Hamilton Road, Orion Place, Wilcox Road, East Broad Street, Warner Road, Shannon Road, Livingston Avenue, James Road, Warner Road, Warner Road, Hudson Street, Harrisburg Pike (S.R. 62), Morse Road, Refugee Road, Livingston Avenue, Georgesville Road (C.R. 26), Southview Drive, Parsons Avenue, Central College Road, Sawmill Road (C.R. 70), Alley North of Gay Street, Innis Road, East Livingston Avenue, Sancus Boulevard, Marion Road, Refugee Road, McNaughten Road (C.R. 104), East Broad Street (S.R. 40), and North High Street.

Read for the First Time

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- 1611-2010** FR To authorize the Director of Public Utilities to enter into a one year lease agreement for the Division of Sewerage and Drainage for the lease of City-owned land, just south of the Southerly Wastewater Treatment Plant on U.S. Route 23, for agricultural purposes with Jeff Writsel. (\$0)

Read for the First Time

- 1636-2010** FR To authorize the Director of Public Utilities to enter into a professional design services agreement with Malcolm Pirnie, Inc. for the Wastewater Treatment Facilities Ash Lagoons Improvements project; transfer within and expend \$310,648.00 in funds from the Sanitary Sewer Build America Bonds (B.A.B.s) Fund; and to amend the 2010 Capital Improvements Budget to establish sufficient budget authority for this expenditure for the Division of Sewerage and Drainage. (\$310,648.00)

Read for the First Time

- 1642-2010** FR To authorize the Director of Public Utilities to pay the annual Discharge Fees for Fiscal Year 2010 to the State of Ohio, Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewerage System Operating Fund. (\$82,800.00)

Read for the First Time

- 1688-2010** FR To authorize the Director of Public Utilities to renew a membership with the Association of Ohio Metropolitan Wastewater Agencies for the Division of Sewerage and Drainage and to authorize the expenditure of \$24,375.00 from the Sewerage System Operating Fund. (\$24,375.00)

Read for the First Time

- 1693-2010** FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Light Trucks from a Universal Term Contract with Ricart Ford for the Division of Sewerage and Drainage, to authorize the expenditure of \$21,964.00 from the Sewer Operating Fund. (\$21,964.00)

Read for the First Time

- 1695-2010** FR To authorize the Director of Finance and Management to establish a Blanket

Purchase Order for Automobiles from a Universal Term Contract with Germain Ford for the Division of Power and Water, to authorize the expenditure of \$26,176.00 from Water Systems Operating Fund. (\$26,176.00)

Read for the First Time

- 1705-2010** FR To authorize the Director of Public Utilities to modify and increase the engineering services agreement with ms consultants, inc. for engineering services during construction for the Division of Power and Water's Upground Reservoir Project; and to authorize an expenditure of \$2,000,000.00 from the Water Super Build America Bonds Fund. (\$2,000,000.00)

Read for the First Time

- 1754-2010** FR To authorize the Director of Public Utilities to establish an encumbrance for a subscription to the AWWA Research Foundation program, in accordance with the sole source provisions of the Columbus City Code; and to authorize the expenditure of \$80,621.00 from Water Systems Operating Fund. (\$80,621.00)

Read for the First Time

- 1755-2010** FR To authorize the Director of Finance and Management to establish a purchase order with ADS LLC for the purchase of Flow Monitoring Parts and Services for the Division of Sewerage and Drainage; and to authorize the expenditure of \$50,000.00 from the Sewerage System Operating Fund. (\$50,000.00)

Read for the First Time

- 1758-2010** FR To authorize the Director of Public Utilities to enter into an agreement with ADS LLC for flow meter wireless fees in accordance with Sole Source provisions of the Columbus City Codes for the Division of Sewerage and Drainage; and to authorize the expenditure of \$39,900.00 from the Sewerage System Operating Fund. (\$39,900.00)

Read for the First Time

- 1759-2010** FR To authorize the Director of Public Utilities to enter into an agreement with the Mid-Ohio Regional Planning Commission (MORPC) for the purposes of providing funding and support for the Franklin County Greenway Plan for Fiscal Year 2011, and to authorize the expenditure of \$30,000.00 from the Storm Sewer Operating Fund, and \$30,000.00 for the Water Operating Fund. (\$60,000.00)

Sponsors: Eileen Y. Paley and Priscilla Tyson

Read for the First Time

- 1763-2010** FR To authorize the Director of Public Utilities to execute a construction contract with Elite Excavating Co. of Ohio, Inc. for the Chatterton Rd. Water Main Improvements Project; for the Division of Power and Water; and to authorize an expenditure of \$2,751,676.30 within the Water Build America Bonds Fund. (\$2,751,676.30)

Read for the First Time

- 1765-2010** FR To authorize the Director of Public Utilities to execute a planned contract modification of the construction administration - construction inspection services agreement with Stantec Consulting Services, Inc.; for the Division of Power and Water's Chatterton Road Water Main Improvements Project

and the Dublin Road Water Plant Disinfection & Miscellaneous Improvements Project; to authorize a transfer and expenditure of funds within the Water Build America Bonds Fund; and to authorize an amendment to the 2010 Capital Improvement Budget. (\$278,000.44)

Read for the First Time

CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION:

CRAIG

- 0179X-2010 CA To honor, recognize and celebrate the life of William C. "Pablo" Davis and extend our sincere condolences to his family and friends on the occasion of his passing, November 30, 2010.

Sponsors: Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares, Priscilla Tyson and Michael C. Mentel

This Matter was Adopted on the Consent Agenda.

GINTHER

- 0180X-2010 CA To express the appreciation of the Council of the City of Columbus to Michael C. Mentel for his service to this Council and for his commitment to improving the quality of life for all Columbus residents.

Sponsors: Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares, Priscilla Tyson and Hearcel Craig

A motion was made by Ginther, seconded by Tyson, that this matter be Adopted. The motion carried by the following vote:

Abstained: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

TAVARES

- 0172X-2010 CA To congratulate Daniela Williams, recipient of the 2010 Student of the Year Award, recognizing outstanding service to the Trinity Baptist Church New Life Sunday Church School and community on Friday, December 10, 2010.

Sponsors: Charleta B. Tavares

This Matter was Adopted on the Consent Agenda.

TYSON

- 0181X-2010 CA To express the appreciation of the Council of the City of Columbus to Charleta B. Tavares for her service to this Council and for her commitment to improving the quality of life for all Columbus residents.

Sponsors: Priscilla Tyson, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Hearcel Craig and Michael C. Mentel

A motion was made by Tyson, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Abstained: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR. MILLER, TYSON MENTEL

- 1550-2010 CA To authorize the Finance and Management Director to expend \$200,000.00

from the Construction Management Capital Improvement Fund for various facility renovations. (\$200,000.00)

This Matter was Approved on the Consent Agenda.

- 1769-2010 CA To authorize the Director of the Department of Development to enter into a contract with TechColumbus for administrative costs associated with providing training sessions on job-based economic development incentives; to authorize the expenditure of \$15,000.00 from the General Fund; and to declare an emergency. (\$15,000.00)

This Matter was Approved on the Consent Agenda.

- 1798-2010 CA To authorize and direct the City Auditor to provide for the transfer of \$385,500.00 between divisions within the Finance and Management general fund budget so that rest of year expenditures occur in the proper accounting codes; and to declare an emergency. (\$385,500.00)

This Matter was Approved on the Consent Agenda.

SAFETY: GINTHER, CHR. PALEY CRAIG MENTEL

- 0174X-2010 CA To object to the renewal of liquor permit number 9116341 held by 2110 LEONARD AVENUE LLC, doing business as EAST SIDE MARKET, located at 2110 LEONARD AV 1ST FL & BSMT, COLUMBUS, OH 43219, and to declare an emergency.

Sponsors: Andrew Ginther

This Matter was Adopted on the Consent Agenda.

- 0175X-2010 CA To object to the renewal of liquor permit number 6191022 held by MOSIN INC, doing business as MOBIL MART, located at 2727 CLEVELAND AVE, COLUMBUS, OH 43224, and to declare an emergency.

Sponsors: Andrew Ginther

This Matter was Adopted on the Consent Agenda.

- 0176X-2010 CA To object to the renewal of liquor permit number 8867837 held by THIND PETROLEUM INC, doing business as MORSE QUICK MART, located at 1570 MORSE ROAD, COLUMBUS, OH 43229, and to declare an emergency.

Sponsors: Andrew Ginther

This Matter was Adopted on the Consent Agenda.

- 0177X-2010 CA To object to the renewal of liquor permit number 5379960 held by MJ CLUB 23 LLC, doing business as SLOOPYS, located at 2619 N HIGH ST, COLUMBUS, OH 43202, and to declare an emergency.

Sponsors: Andrew Ginther

This Matter was Adopted on the Consent Agenda.

- 1596-2010 CA To authorize and direct the Finance and Management Director to sell to Firefighter Jeff Smith for the sum of \$1.00 an Arson canine with the registered name "Lucas", which has no further value to the Division of Fire, and to waive the provisions of the Columbus City Codes - Sale of City-Owned Personal Property. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 1643-2010 CA To authorize the payment of \$6,258.20 for vacation time and benefits which have accumulated in excess of the maximum amount established by salary ordinance for Fire Division personnel. (\$6,258.20)

This Matter was Approved on the Consent Agenda.

- 1700-2010 CA To authorize and direct the Director of Public Safety, on behalf of the Division of Support Services, to enter into a contract with Motorola for backup maintenance services required for continued operation of the Police and Fire 800 MHz Radio System Infrastructure in accordance with the sole source provisions of the Columbus City Codes; to authorize the expenditure of \$60,613.32 from the General Fund; and to declare an emergency. (\$60,613.32)

This Matter was Approved on the Consent Agenda.

- 1714-2010 CA To amend the 2010 Capital Improvement Budget; to authorize the transfer of \$104,261.34 between projects within the Safety Voted Bond Fund; to authorize the Director of Finance and Management to enter into contract with Black Box on behalf of the Division of Support Services for the purchase, full parts warranty, delivery and installation of NEC SV8300 telephone communications equipment and NEC 2400 IPX P2P software licenses, to authorize the expenditure of \$104,261.34 from the Safety Voted Bond Fund; and to declare an emergency. (\$104,261.34).

This Matter was Approved on the Consent Agenda.

- 1792-2010 CA To authorize and direct the Director of Public Safety to modify an existing contract with ACISS Systems, Inc. to purchase data migration/interfacing and related services; to authorize the expenditure of \$9,615.00 from the Government Grant Fund; and to declare an emergency (\$9,615.00).

This Matter was Approved on the Consent Agenda.

- 1803-2010 CA To authorize and direct the Director of Public Safety to pay prisoner medical bills to The Ohio State University Hospitals, for the Division of Police, to authorize the expenditure of \$21,056.95 from the General Fund; and to declare an emergency. (\$21,056.95)

This Matter was Approved on the Consent Agenda.**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. PALEY TAVARES MENTEL**

- 1658-2010 CA To authorize the Finance and Management Director to enter into a contract for the purchase of three (3) 3-Wheel Sweepers from Jack Doheny Supplies Ohio, Inc. according to provisions of Sole Source procurement of the Columbus City Code Section 329.07; and to authorize the expenditure of \$490,803.48 from the Streets and Highways G.O. Bonds Fund. (\$490,803.48)

This Matter was Approved on the Consent Agenda.

- 1689-2010 CA To authorize the Director of Public Service to modify and increase a reimbursement agreement with The City of Dublin to provide additional funding for the Emerald Parkway project; to amend the 2010 C.I.B; to authorize the transfer of \$60,000.00 within the Build America Bonds Fund;

and to declare an emergency. (\$60,000.00)

This Matter was Approved on the Consent Agenda.

- 1720-2010** CA To authorize the Director of Public Service to reimburse various utilities for utility relocation costs incurred in conjunction with Public Service capital improvement projects; to amend the 2010 C.I.B.; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund and the Build America Bonds Fund; and to authorize the expenditure of \$50,000.00 from the Streets and Highways G.O. Bonds Fund and the Build America Bonds Fund. (\$50,000.00)

This Matter was Approved on the Consent Agenda.

- 1779-2010** CA To authorize the Director of Public Service to accept a grant in the amount of \$1,000.00 sponsored by Keep America Beautiful, Incorporated; to authorize the appropriation of \$1,000.00 from the unappropriated balance of the private grant fund for the Division of Refuse Collection, to provide funding for the Keep Columbus Beautiful program; and to declare an emergency. (\$1,000.00)

This Matter was Approved on the Consent Agenda.

- 1794-2010** CA To authorize the Director of Public Service to reimburse the Ohio Department of Transportation for costs incurred in the Town Street Improvement project; to amend the 2010 C.I.B; to authorize the transfer and expenditure of funds within the Street and Highway Improvement Fund in the amount of \$3,003.20 for the Division of Design and Construction; and to declare an emergency. (\$3,003.20)

This Matter was Approved on the Consent Agenda.

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

- 1706-2010** CA To amend the Management Compensation Plan, Ordinance No. 1150-2007, as amended, by amending Section 4(D), Employee's Contribution to O.P.E.R.S.; by enacting Section 5(E)-D122, Department Information Technology Coordinator, and 5(E)-R180, Rental Services Coordinator; by amending Section 5(E)-B062, Building Inspection Supervisor; and by amending certain classifications in Section 5(F); and to declare an emergency.

This Matter was Approved on the Consent Agenda.

JUDICIARY AND COURT ADMINISTRATION: PALEY, CHR. CRAIG TYSON MENTEL

- 1736-2010** CA To authorize the Municipal Court Clerk to modify the existing contracts with 3SG Corporation for the purchase of imaging services, software and maintenance; to authorize the expenditure of \$128,000.00 from the Municipal Court Clerk Computer Fund; and to declare an emergency. (\$128,000.00)

This Matter was Approved on the Consent Agenda.

- 1797-2010** CA To authorize the City Auditor to transfer Thirty Thousand Dollars between Object Levels within the City Attorney's Office General Fund budget to provide funding necessary to cover year end expenditures; and to declare an emergency. (\$30,000.00)

This Matter was Approved on the Consent Agenda.

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- 1406-2010** CA To authorize the Directors of the Department of Technology and the Department of Public Utilities to enter into an agreement with Wireless Matrix Corporation for an Automated Vehicle Location (AVL) System for the Department of Public Utilities; to authorize the transfer and expenditure of funds within the Water Build America Bonds Fund, the Sanitary Build America Bonds Fund, the Stormwater Build America Bonds Fund, and the Electric Build America Bonds Fund; to amend the 2010 Capital Improvements Budget; and to declare an emergency (\$439,271.34)
This Matter was Approved on the Consent Agenda.
- 1504-2010** CA To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with Malcolm Pirnie, Inc. for the Southerly Wastewater Treatment Plant New Headworks project; and to authorize the expenditure of \$583,000.00 within the B.A.B.s (Build America Bonds) Fund for the Division of Sewerage and Drainage. (\$583,000.00).
This Matter was Approved on the Consent Agenda.
- 1592-2010** CA To authorize the Director of Finance and Management to enter into a contract with IRST for the purchase of a SPCC Barrier Boom System for the Department of Public Utilities, Division of Power and Water (Power) and to authorize the expenditure of \$60,144.00 from the Electric Build America Bonds Fund. (\$60,144.00)
This Matter was Approved on the Consent Agenda.
- 1599-2010** CA To authorize the Director of Public Utilities to modify and increase the General Engineering Services agreement with CH2M Hill Inc.; for the Division of Power and Water; to authorize a transfer of funds and an expenditure of \$500,000.00 from the Water Build America Bonds Fund; and to authorize an amendment to the 2010 Capital Improvements Budget. (\$500,000.00)
This Matter was Approved on the Consent Agenda.
- 1614-2010** CA To authorize the Director of Public Utilities to modify and increase the General Engineering Services agreement with URS Corporation - Ohio; for the Division of Power and Water; and to authorize an expenditure of \$200,000.00 within the Water Build America Bonds Fund. (\$200,000.00)
This Matter was Approved on the Consent Agenda.
- 1753-2010** CA To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Powdered Activated Carbon from an established Universal Term Contract with MeadWestvaco for the Division of Power and Water; to authorize the expenditure of \$132,000.00 from Water Systems Operating Fund; and to declare an emergency. (\$132,000.00)
This Matter was Approved on the Consent Agenda.
- 1761-2010** CA To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Crushed Limestone and Gravel Aggregates from an established Universal Term Contract with Shelly Materials, Inc. for the Division of Power and Water; to authorize the expenditure of \$25,000.00 from Water Systems Operating Fund; and to declare an emergency.

(\$25,000.00)

This Matter was Approved on the Consent Agenda.

APPOINTMENTS

A0197-2010 CA Reappointment of Charles Evranian, Port Columbus International Airport, 4600 International Gateway, Columbus, Ohio 43219 to serve on the Vehicle for Hire Board with a new term expiration date of December 31, 2011 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

A0198-2010 CA Reappointment of Somers L. Martin, Chamber of Commerce, 150 S. Front Street, Columbus, Ohio 43215 to serve on the Vehicle for Hire Board with a new term expiration date of December 31, 2011 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

A0199-2010 CA Reappointment of John Raphael, Citizen at Large, 444 S. Front Street, Columbus, Ohio 43215 to serve on the Vehicle for Hire Board with a new term expiration date of December 31, 2011 (resume attached).

A motion was made by Tyson, seconded by Miller, that this matter be Read and Approved. The motion carried by the following vote:

Abstained: 1 - Craig

Affirmative: 6 - Ginther, Ms. Tavares, Tyson, President Mentel, Miller and Paley

A0200-2010 CA Reappointment of David Barker, Experience Columbus, 277 W. Nationwide Blvd. Ste.125, Columbus, Ohio 43215 to serve on the Vehicle for Hire Board with a new term expiration date of December 31, 2011 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

A0201-2010 CA Appointment of Rebecca Obester, 1802 Kings Ct Unit C, Columbus, Ohio 43212 to serve on the Fifth By Northwest Area Commission with a term expiration date of 12/31/2012 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

A0202-2010 CA Appointment of Carrie Patton, 1405 Eastview Avenue, Columbus, Ohio 43212 to serve on the Fifth By Northwest Area Commission with a term expiration date of 12/31/2012 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

A0203-2010 CA Appointment of Greg R. Lawson, 1508 Meadow Road, Columbus, Ohio 43212 to serve on the Fifth By Northwest Area Commission with a term expiration date of 12/31/2012 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

A0204-2010 CA Appointment of Louis F. Kuhman, 1262 W. Fifth Avenue, Columbus, Ohio 43212 to serve on the Fifth By Northwest Area Commission with a term expiration date of December 31, 2012 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

A0205-2010 CA Appointment of Melissa Barth Kelly, 425 HemHill Drive, Galloway, Ohio 43119 to serve on the Westland Area Commission with a term expiration date of April 30, 2011 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0206-2010** CA Reappointment of John Kulewicz, Vorys, Sater, Seymour and Pease LLP, 52 East Gay Street, P.O. Box 1008, Columbus, Ohio 43216 to serve on the Columbus Zoo Board with a new expiration date of December 31, 2013. (resume attached)

This Matter was Read and Approved on the Consent Agenda.

- A0207-2010** CA Reappointment of Susan Rector, Schottenstein, Zox & Dunn, 250 West Street, Columbus, Ohio 43215 to serve on the Columbus Zoo Board with a new term expiration date of December 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0208-2010** CA Appointment of Linda Logan, Executive Director, Greater Columbus Sports Commission, 45 Vine Street, Columbus, Ohio 43215 to serve on the Columbus Recreation and Parks Commission, replacing Archie Griffin, with a new term expiration date of December 31, 2015 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0209-2010** CA Appointment of William H. Adams, 2978 East 12th Avenue, Columbus, Ohio 43219 to serve on the Columbus Recreation and Parks Commission with a new term expiration date of December 31, 2015 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0210-2010** CA Reappointment of Dr. J.S. Jindal, P.O. Box 14830, Columbus, OH 43214 to serve on the Community Relations Commission with a new term expiration date of December 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0211-2010** CA Reappointment of Rabbi Harold J. Berman, Congregation Tifereth Israel, 1354 Broad Street, Columbus, Ohio 43209, to serve on the Community Relations Commission with a term expiration date of December 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0212-2010** CA Reappointment of Patricia S. Eshman, 4077 Glenmont Place, Columbus, OH 43214 to serve on the Community Relations Commission with a term expiration date of December 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0213-2010** CA Reappointment of Frances Curtis Frazier, 3466 Bolton Avenue, Columbus, Ohio 43227 to serve on the Community Relations Commission with a term expiration date of December 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0214-2010** CA Reappointment of Alan Nevel, 6841 Snapdragon Way, Lewis Center, OH 43035 to serve on the Community Relations Commission with a term expiration date of December 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0215-2010** CA Reappointment of Mussa Farah, 4174 Christy Bloom Dr, Columbus, Ohio 43230 to serve on the Community Relations Commission with a term expiration date of December 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0216-2010** CA Reappointment of Brian E. Shinn, 137 Morse Road, Columbus, Ohio 43214 to serve on the Community Relations Commission with a term expiration date of December 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0217-2010** CA Reappointment of Jackie R. Winchester, 2248 Tuliptree Avenue, Columbus, Ohio 43229 to serve on the Sinking Fund Board of Trustees with a new term expiration date of January 31, 2015 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- A0218-2010** CA Reappointment of Mark Kelsey, 109 North Front Street, Columbus, Ohio 43215 to serve on the Mid-Ohio Regional Planning Commission with a new term expiration date of December 31, 2013 (resume attached)

This Matter was Read and Approved on the Consent Agenda.

- A0219-2010** CA Reappointment of Dr. Augustus G. Parker III, Columbus Women's Care, Inc., 85 McNaughten Road, Suite 310, Columbus, Ohio 43213 to serve on the Columbus Board of Health with a new term expiration date of January 31, 2015. (resume attached)

This Matter was Read and Approved on the Consent Agenda.**Passed The Consent Agenda**

A motion was made by Tyson, seconded by Miller, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR. MILLER TYSON MENTEL**

- 1683-2010** To authorize and direct the Director of the Department of Development to enter into an agreement with the Ohio Department of Development to receive and administer a Clean Ohio Revitalization Fund grant of up to \$3 million for the environmental clean up and redevelopment of the former 3M site at 1206 N. Fourth St.; to authorize the appropriation of \$3 million from the General Government Grant Fund; to authorize the Director of the Columbus Department of Development to enter into an agreement with The Wagenbrenner Development Company to apply said grant funding for environmental clean up and redevelopment of the former 3M site; to authorize the expenditure of \$3 million from the General Government Grant fund; and to declare an emergency. (\$3,000,000.00)

A motion was made by Ginther, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

- 1750-2010** To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Capital City Group, Inc.; and to declare an

emergency.

A motion was made by Ginther, seconded by Ginther, that this matter be Taken from the Table. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Ginther, seconded by Miller, that this matter be Approved. The motion carried by the following vote:

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley
Negative: 1 - Ms. Tavares

1772-2010

To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Evans, Mechwart, Hambleton & Tilton, Inc. and Wishbone Partners, LLC; and to declare an emergency.

A motion was made by Ginther, seconded by Craig, that this matter be Taken from the Table. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Ginther, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley
Negative: 1 - Ms. Tavares

1773-2010

To amend Ordinance Number 0820-2010 to adjust the terms of an Enterprise Zone Agreement with Menard, Inc. by reducing the job creation goal from 80 employees to 60 full-time employees.

A motion was made by Ginther, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Abstained: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

1799-2010

To create a tax increment financing incentive district to be known as the "Weinland Park Incentive District" encompassing certain parcels of real property; to declare improvements to those parcels to be a public purpose and exempt from real property taxation; to require the owners of those parcels to make service payments in lieu of taxes; to require the distribution of the applicable portion of those service payments to the Columbus City School District; to establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of those service payments; to specify the public infrastructure improvements that directly benefit or serve parcels in the incentive district; and to declare an emergency.

A motion was made by Ginther, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1778-2010

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Dynamix Engineering, Ltd. for professional architectural and engineering consulting services for the renovation of the ventilation system at the North Market, 59 Spruce Street; and to authorize the expenditure of \$136,720.00 from the Construction Management Capital Improvement Fund. (\$136,720.00)

A motion was made by Ginther, seconded by Craig, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Ginther, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

RECESSED 6:28 PM

A motion was made by Craig, seconded by Ginther, to Motion to Recess the Regular Meeting. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

RECONVENED 6:48 PM

A motion was made by Craig, seconded by Tyson, to Motion to Reconvene the Regular Meeting. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

SAFETY: GINTHER, CHR. PALEY CRAIG MENTEL

0169X-2010

To object to the renewal of liquor permit number 8935562 held by TIMITER INC, doing business as BLUE DIAMOND LOUNGE, located at 1980 OAKLAND PARK AV. 1ST FL & PATIO, COLUMBUS, OH 43224, and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0170X-2010

To object to the renewal of liquor permit number 5438514 held by MAIN & CHAMP FOOD & DELI INC, doing business as CHAMPION MARKET, located at 1130 E MAIN ST COLUMBUS, OHIO 43205, and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Miller, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0171X-2010

To object to the renewal of liquor permit number 4343369 held by JOHYNA III INC, doing business as STELZER EXPRESS MART, located at 755 STELZER RD 1ST FL ONLY, COLUMBUS, OHIO 43219, and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1632-2010

To authorize the Director of the Department of Human Resources to amend the existing contract with the law firm of Baker & Hostetler LLP for the purpose of providing ongoing assistance in the implementation of the collective bargaining agreement with FOP/Capital City Lodge #9, to authorize the transfer of \$45,000.00 from the Department of Public Safety to the Department of Human Resources, to authorize the expenditure of \$45,000 or so much thereof as may be necessary to compensate the contractor for services rendered; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency (\$45,000.00)

A motion was made by Ginther, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1638-2010

To authorize and direct the Director of Public Safety to enter into a contract with Security Risk Management Consultants, Inc. (SRMC) for continued consulting services for the Fire Division's security card access system; to waive the competitive bidding provisions of the Columbus City Codes; to authorize the expenditure of \$25,010.00 from the Gov'l B.A.B (Build America Bonds); and to declare an emergency. (\$25,010.00)

A motion was made by Ginther, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1782-2010

To authorize the Director of Finance and Management to modify an existing contract with the Gordon Flesch Company, Inc. for the addition of fax control modules to the Multi-functional Devices (MFDs) UTC for the Division of Police; to authorize the Finance and Management Director to issue a purchase order in the amount of \$19,967.00 from the General Fund to the Gordon Flesch Company, Inc. to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$19,967.00)

A motion was made by Ginther, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1801-2010

To authorize and direct the Finance and Management Director to issue a purchase order for custom tilt-cab pumpers for the Division of Fire from an existing Cooperative State of Ohio Term Contract established for such purpose by the State of Ohio Department of Administrative Services Purchasing Office with Sutphen Corporation, to authorize the expenditure of \$2,453,996.20 from the Department of Public Safety's Gov'l B.A.B's (Build America Bonds); and to declare an emergency. (\$2,453,996.20)

A motion was made by Ginther, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. PALEY TAVARES
MENTEL**

1786-2010

To authorize the Director of Public Service to enter into a professional engineering services contract with R.W. Armstrong & Associates, Inc. in connection with the Bridge Rehabilitation - General Engineering Design Service project to provide for engineering services for the City bridge program; to amend the 2010 CIB; to authorize the transfer of cash and appropriation and the expenditure of \$200,000.00 within the Build America Bonds Fund; and to declare an emergency. (\$200,000.00)

A motion was made by Craig, seconded by Miller, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1787-2010

To authorize and direct the Finance and Management Director to modify a contract with Traffic Control Products, Inc. for traffic pedestrian signal equipment to add additional items to the contract and to add the requirement that they comply with the Buy American provision of the American Recovery and Reinvestment Act of 2009; to waive the competitive bidding provisions of of the Columbus City Codes; and to declare an emergency.

A motion was made by Craig, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1569-2010

To authorize the Director of the Department of Public Service to execute those documents required to transfer the Grace Street right-of-way, west of Wilson Road, north of West Broad Street; and to declare an emergency.

A motion was made by Craig, seconded by Miller, that this matter be Amended to Emergency. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Craig, seconded by Miller, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1783-2010

To authorize the Director of Public Service to enter into a contract in the amount of \$562,663.09 with Columbus Asphalt Paving, Inc, for construction of the UIRF - Holtzman/Main roadway and sewer improvement project for the Division of Design and Construction; to provide for construction inspection costs in the amount of \$84,399.46; to authorize the expenditure of \$351,456.03 from the Build America Bonds Fund for the Department of Public Service; to authorize a transfer and expenditure of \$295,606.52 within the Storm Sewer Bond Fund, for the Department of Public Utilities; and to amend the 2010 Capital Improvements Budget. (\$647,062.55)

A motion was made by Craig, seconded by Ginther, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Craig, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**MINORITY AND BUSINESS DEVELOPMENT : CRAIG, CHR. MILLER TAVARES
MENTEL**

1770-2010

To authorize the Director of the Department of Development to enter into an agreement with the Columbus Chamber for administrative costs to continue the Diversity Bridge Initiative; to authorize the expenditure of \$50,000.00 from the General Fund; and to declare an emergency. (\$50,000.00)

Sponsors: Hearcel Craig and Priscilla Tyson

A motion was made by Craig, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

1490-2010

To authorize the Director of the Department of Technology, to enter into contracts with Sagemcom Canada Inc for the purchase of the Sagemcom Canada Inc. XMediusFAX software and to enter into a contract with Logos Communications Inc., for associated professional services; to waive the competitive bidding provisions of the Columbus City Codes; to authorize the expenditure of \$26,326.85 from the Department of Technology, Information Services Capital Improvement Fund; and to declare an emergency. (\$26,326.85)

A motion was made by Miller, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1585-2010

To authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology to establish purchase orders with Agilysys Inc. and Software House International, Inc. (SHI), from pre-existing Universal Term Contracts (UTC) and a State Term Schedule, for the purchase of HP equipment and services, EMC equipment and services, Symantec software and support, Microsoft SQL and Windows Server Licenses and software assurance; to authorize the transfer of appropriation and cash between projects in the Information Services Bond Fund; to amend the 2010 Capital Improvement Budget; to authorize the expenditure of \$1,795,160.61 from the Department of Technology, Information Services Operating Fund and Capital Improvement Bond Fund; and to declare an emergency. (\$1,795,160.61)

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Absent@vote: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

1716-2010

To authorize the Director of the Department of Technology to enter into contract with OARnet/OSU, for the purchase of VMware software licenses, services and training; to waive the competitive bidding provisions of Columbus City Codes; and to authorize the expenditure of \$170,831.53 from the Department of Technology, Information Services Fund; and to declare an emergency. (\$170,831.53)

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

JUDICIARY AND COURT ADMINISTRATION: PALEY, CHR. CRAIG TYSON

MENTEL

1669-2010

To authorize the acceptance of a grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs in the amount of \$44,000.00 for the funding of the Stalking Investigation Program; to authorize the appropriation and expenditure of said funds; to authorize the transfer and appropriation of matching funds required by the acceptance of the grant in the amount of \$14,667.00; to authorize the City Attorney to enter into a contract with J Investigations for the services of a Stalking Investigator; to waive the competitive procurement provision of the Columbus City Codes; and to declare an emergency. (\$58,667.00)

A motion was made by Paley, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1732-2010

To authorize the acceptance of a grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Program and the appropriation and expenditure of said funds for the Domestic Violence Prosecutors Program. (\$103,705.00)

A motion was made by Paley, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1791-2010

To authorize the City Attorney to modify and to enter into contracts with Urban Advocacy and Investigations, LLC and J Investigations, LLC for stalking investigative services; to align appropriations with adjusted grant budgets; to authorize expenditures from the 2010 VAWA Stalking Investigator Grant, the ARRA Stalking Investigative Specialist I & II Grant, and the ARRA WAP Database and Domestic Violence Advocate Grant; to waive the competitive procurement provisions of the Columbus City Codes; and to declare an emergency. (\$22,205.00)

A motion was made by Paley, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

UTILITIES: PALEY, CHR CRAIG GINTHER MENTEL

- 1708-2010** To authorize the Director of Public Utilities to contract with and enter into a construction contract with Kenmore Construction Company, Inc. in connection with the CSO Regulator Sluice Gate Modifications Project; to authorize the appropriation, transfer, and expenditure of \$2,148,200.00 from the Sewer System Reserve Fund to the Water Pollution Control Loan Fund to fund this project expenditure for the Division of Sewerage and Drainage; and declare an emergency. (\$2,148,200.00).
- A motion was made by Paley, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- 1760-2010** To authorize the Director of Public Utilities to execute a construction contract with Darby Creek Excavating, Inc. for the Westside Neighborhood Stormwater System Improvements Project; to provide for payment of inspection, testing and prevailing wage coordination services to the Division of Design and Construction; to authorize the expenditure of \$575,582.69 within the Storm Build America Bonds Fund for the Division of Sewerage and Drainage, and to declare an emergency. (\$575,582.69)
- A motion was made by Paley, seconded by Craig, that this matter be Approved. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- 1764-2010** To authorize the Director of Public Utilities to execute a construction contract with Conie Construction Company; for the Olentangy Boulevard/Amazon Place Stormwater Systems Improvements Project, to provide for payment of inspection, material testing and prevailing wage coordination services to the Design and Construction Division; to authorize the transfer and expenditure of \$503,133.60 within the Storm Sewer Bonds Fund; to amend the 2010 Capital Improvements Budget for the Division of Sewerage and Drainage and to declare an emergency. (\$503,133.60)
- A motion was made by Paley, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- 1767-2010** To authorize the Director of Public Utilities to enter into a construction contract with Siemens Water Technologies Corporation in accordance with the sole source provisions of the Columbus City Code, in connection with the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project; to authorize the appropriation and transfer of \$1,224,000.00 from the Sanitary Sewer Reserve Fund; to authorize the expenditure of said funds from the Ohio Water Pollution Control Loan Fund for the Division of Sewerage and Drainage and to declare an emergency. (\$1,224,000.00)
- A motion was made by Paley, seconded by Craig, that this matter be Approved. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- 1784-2010** To authorize the Director of Public Utilities to modify and increase the

engineering services agreement with Stantec Consulting Services, Inc. for Phase II of the Geographical Information System (GIS) Conversion Services Project; to authorize the transfer of \$210,948.20 within the Electric Build America Bonds Fund; to authorize an amendment to the 2010 Capital Improvements Budget; to authorize an expenditure of \$210,948.20 from the Electric Build America Bonds Fund and to declare an emergency. (\$210,948.20)

A motion was made by Paley, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1642-2010

To authorize the Director of Public Utilities to pay the annual Discharge Fees for Fiscal Year 2010 to the State of Ohio, Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewerage System Operating Fund. (\$82,800.00)

A motion was made by Paley, seconded by Craig, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Paley, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1705-2010

To authorize the Director of Public Utilities to modify and increase the engineering services agreement with ms consultants, inc. for engineering services during construction for the Division of Power and Water's Upground Reservoir Project; and to authorize an expenditure of \$2,000,000.00 from the Water Super Build America Bonds Fund. (\$2,000,000.00)

A motion was made by Paley, seconded by Craig, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Abstained: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

A motion was made by Paley, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Abstained: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

HOUSING: TAVARES, CHR. TYSON MILLER MENTEL

1686-2010

To authorize the appropriation of \$80,000 from the unappropriated balance Neighborhood Health Center Capital Reserve Fund and to authorize the Director of Finance and Management to expend up to \$80,000.00 for various facility repair, upgrades, and renovations for the City's neighborhood health centers. (\$80,000.00)

A motion was made by Ms. Tavares, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1757-2010 To authorize and direct the transfer of remaining balances of various object levels within the General Government Grant Fund, Lead Hazard Reduction Demonstration Grant; to authorize the Director of the Department of Development to remit up to a maximum of \$50,000.00 from the Lead Hazard Reduction Demonstration Program Grant to the U.S. Department of Housing and Urban Development; to authorize the expenditure of up to a maximum of \$50,000.00 from the General Government Grant Fund; to authorize the City Auditor to make accounting entries as needed in the General Government Grant Fund; and to declare an emergency. (\$50,000.00)

A motion was made by Ms. Tavares, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

DEVELOPMENT: TYSON, CHR. GINTHER MILLER MENTEL

0168X-2010 To resolve to support Franklin County in its effort to obtain Round 10 Clean Ohio grant funding for the cleanup and redevelopment of the former Delphi site at West Broad Street and Georgesville Road; and to declare an emergency.

A motion was made by Tyson, seconded by Ms. Tavares, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Tyson, seconded by Ms. Tavares, that this matter be Reconsidered. The motion carried by the following vote:

Abstained: 1 - Ginther

Affirmative: 6 - Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

A motion was made by Tyson, seconded by Ms. Tavares, that this matter be Adopted. The motion carried by the following vote:

Abstained: 1 - Ginther

Affirmative: 6 - Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1696-2010 To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property, located at 00000 Leonard Avenue, Columbus, Ohio 43219, held in the Land Bank pursuant to the Land Reutilization Program.

A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1727-2010 To authorize the Director of the Department of Development to modify a contract with The Shining Company to provide various property management services on City owned property held in the Land Bank; to authorize the expenditure of \$10,000.00 from the Land Management Fund; and to declare an emergency. (\$10,000.00)

A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- 1728-2010** To authorize the Development Director to enter into contracts with TruckCo and MU Trucking for trash and debris, light demolition, and landscaping services for properties managed by the Land Redevelopment Office; to authorize the expenditure of \$40,000.00 from the Land Management Fund; and to declare an emergency. (\$40,000.00)
- A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- 1768-2010** To authorize the Director of the Department of Development to enter into an agreement with the Neighborhood Design Center for administrative costs; to authorize the expenditure of \$50,000.00 from the General Fund; and to declare an emergency. (\$50,000.00)
- A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- 1774-2010** To authorize the Director of the Department of Development to enter into contract with ATC Group Services, Inc. for asbestos hazard evaluation services for properties within the Parsons Avenue project; to authorize the appropriation and transfer of \$10,695.00 from the Special Income Tax Fund to the General Permanent Improvements Fund; to authorize the appropriation and expenditure of \$10,695.00 from the General Permanent Improvements Fund; and to declare an emergency. (\$10,695.00)
- A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- 1800-2010** To authorize the Director of Development to file a municipal petition for the annexation of 15.679 acres within Franklin Township as provided in section 709.16 of the Ohio Revised Code and to provide for acceptance of the property by the City of Columbus upon approval of the petition by the Board of Franklin County Commissioners; and to declare an emergency.
- A motion was made by Tyson, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**
- Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley
- 1824-2010** To authorize the Director of Public Utilities to enter into a contract with the Board of County Commissioners of Franklin County, Ohio to provide for amendments to existing agreements with the City of Columbus dealing with the provision of water and sewer services within Franklin County and to redraw certain district boundaries for sewage disposal; and to declare an emergency.
- A motion was made by Tyson, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**

Abstained: 1 - Ginther

Affirmative: 6 - Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0182X-2010

To resolve to support Metro Parks in its Clean Ohio Revitalization Fund application for work at the Southern Tier and impound lot on the Whittier Peninsula; and to declare an emergency.

A motion was made by Tyson, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1674-2010

To authorize the Director of Recreation and Parks to enter into a Lease Agreement with the Greater Columbus Rowing Association in conjunction with its activities located at Griggs Boathouse. (\$1.00)

A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1692-2010

To authorize and direct the Director of Recreation and Parks to apply to the Ohio Department of Natural Resources Division of Forestry for federal grant funds available to communities in Franklin County, Ohio impacted now, or in the future, by the Emerald Ash Borer for the removal of and replacement of publicly-owned Ash trees by the City of Columbus; and to declare an emergency.

A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1762-2010

To authorize and direct the Director of Recreation and Parks to execute an Amended and Restated Memorandum of Understanding and an Amended and Restated Lease Agreement with the Columbus and Franklin County Metropolitan Park District for the property known as the Whittier Peninsula; and to declare an emergency.

A motion was made by Tyson, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1781-2010

To authorize and direct the Director of the Recreation and Parks Department to enter into a lease agreement with Lake Erie Golf Cars, LLC for 198 golf cars for Airport, Mentel and Champions Golf Courses to receive 66 golf riding cars each; and to declare an emergency

A motion was made by Tyson, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1802-2010

To authorize and direct the Director of Recreation and Parks to enter into

contract with RW Setterlin Building Co. for the Wolfe Park Shelter House Improvements Project; to authorize the expenditure \$884,200.00 from the Voted Recreation and Parks Bond Fund; and to declare an emergency. (\$884,200.00)

A motion was made by Tyson, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

RULES & REFERENCE: MENDEL, CHR. GINTHER CRAIG PALEY

1713-2010 To amend Chapter 905 and Chapter 4307 of the Columbus City Code, 1959, to create a mechanism for reasonable curb ramp construction cost reimbursement and recoupment of reasonable city administrative costs pertaining thereto, and to declare an emergency.

Sponsors: Hearcel Craig

A motion was made by Craig, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1785-2010 To amend various sections of Title 21 of the Columbus City Codes, 2115 entitled "Photo Traffic Enforcement System " in order to: issue mobile speed citations in schools zones and other areas where children congregate; amend the right turn on red citation language; amend the bond requirement for administrative appeals; and amend other miscellaneous revisions.

Sponsors: Michael C. Mentel and Andrew Ginther

A motion was made by Ginther, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

1818-2010 To authorize the appropriation of \$300,000.00 from the General Fund to the Department of Development; to authorize and direct the Director of the Department of Development to execute a contract modification with the Community Shelter Board for the purpose of continuing the city's support for homeless emergency shelters; to authorize the expenditure of \$300,000.00 from the General Fund and to declare an emergency. (\$300,000.00)

Sponsors: Michael C. Mentel

A motion was made by President Mentel, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

ADJOURNMENT

ADJOURNED 9:21

A motion was made by Craig, seconded by Tyson, to adjourn this Regular Meeting. The motion carried by the following vote:

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley



City of Columbus

Journal - Final

Zoning Committee

Office of City Clerk
90 West Broad Street
Columbus OH
43215-9015
columbuscitycouncil.org

A. Troy Miller, Chair
All Members

Monday, December 13, 2010

6:30 PM

Zoning Committee

Zoning Committee

Journal

December 13, 2010

**REGULAR MEETING NO. 65 OF CITY COUNCIL (ZONING), DECEMBER 13, 2010
AT 6:30 P.M. IN COUNCIL CHAMBERS
ROLL CALL**

Present: Mentel: Tavares: Ginther: Tyson: Craig: Paley and Chair Miller

READING AND DISPOSAL OF THE JOURNAL

A motion was made by Craig, seconded by Ginther, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

**EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION
ZONING: MILLER, CHR. CRAIG GINTHER PALEY TAVARES TYSON MENDEL**

1623-2010

To rezone 85 NORTH WILSON ROAD (43204), being 0.84± acres located on the west side of North Wilson Road, 172± feet north of Alberta Street, From: C-3, Commercial and L-C-4, Limited Commercial Districts, To: CPD, Commercial Planned Development District (Rezoning # Z07-055).

A motion was made by Miller, seconded by Tyson, that this matter be Amended to Emergency. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

1738-2010

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD, and AR-1, apartment residential district use; 3312.13, Driveway; 3312.27, Parking setback line; 3312.39, Striping and marking; 3312.43, Required surface for parking; 3312.45, Wheel stop device; 3312.49 Minimum numbers of parking spaces required; 3321.01, Dumpster area; 3333.09, Area requirements; 3333.18 (E), Building lines; 3333.19 (a) (1), Building lines on corner lots; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; and 3333.27, Vision clearance, of the Columbus City Codes; for the property located at 1157-1159 OAK STREET (43205), to permit a baked-goods store with seating and a real estate office

with reduced development standards in the ARLD, Apartment Residential District and to declare an emergency. (Council Variance # CV10-034).

A motion was made by Miller, seconded by Craig, that this matter be Amended to Emergency. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

1740-2010

To grant a Variance from the provisions of Section 3363.01, M-Manufacturing district; of the Columbus City Codes for property located at 475 HOSACK STREET (43207), to conform a single-unit dwelling in the M, Manufacturing District. (Council Variance # CV10-039)

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

1741-2010

To grant a Variance from the provisions of Sections 3355.03, C-3 Permitted Uses and 3312.49 Minimum numbers of parking spaces required, of the Columbus City Codes for the property located at 26-30 EAST FIFTH AVENUE (43201), to permit a meadery with reduced parking in the C-3, Commercial District (Council Variance # CV10-037).

A motion was made by Miller, seconded by Craig, that this matter be Amended to Emergency. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

A motion was made by Miller, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

1742-2010

To grant a Variance from the provisions of Sections 3333.035, AR-4, Apartment Residential District Use; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; 3333.24, Rear yard and 3372.562 (A) and (C), Landscaped area and treatment; of the Columbus City Codes for property located at 36 EAST NORWICH AVENUE (43201), to allow a property management office, a single-unit dwelling and accessory parking in the AR-4, Apartment Residential District with reduced development standards. (Council Variance # CV10-035)

A motion was made by Miller, seconded by Tyson, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

1780-2010

To rezone 6698 EAST BROAD STREET (43213), being 30± acres located at the northeast corner of East Broad Street and Brice Road, From: M-2, Manufacturing District, To: CPD, Commercial Planned Development District. (Rezoning # Z10-005)

A motion was made by Miller, seconded by Tyson, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

Abstained: Mentel

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Tavares

A motion was made by Miller, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Abstained: Mentel

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Tavares

ADJOURNMENT

ADJOURNED 6:48 PM

A motion was made by Craig, seconded by Tavares, to adjourn this Regular Meeting. The motion carried by the following vote:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

Ordinances and Resolutions

**City of Columbus
City Bulletin Report**

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Number: 0168X-2010

Drafting Date: 12/01/2010

Version: 1

Current Status: Passed

Matter Type: Resolution

Explanation

BACKGROUND:

In May 2010, Ohio voters approved a measure to allow the Penn National Gaming casino, designated for construction at the former Jaeger Manufacturing site on Nationwide Boulevard, to relocate to the former Delphi site at West Broad Street and Georgesville Road. Since that time, the City of Columbus, Department of Development has worked to establish a commitment to accommodate the casino, and associated development, with incentives designed to encourage subsequent annexation of the former Delphi site into Columbus.

As part of its commitment, the Columbus Department of Development encourages Columbus City Council to offer a resolution of support for Franklin County in its effort to apply for Clean Ohio grant funding to further incentivize clean up and redevelopment of the former Delphi site.

Round 10 Clean Ohio grant applications to the Ohio Department of Development are due January 14, 2011. This resolution is submitted as an emergency to meet the application deadline.

FISCAL IMPACT:

There are no costs to the City of Columbus associated with resolving to support Franklin County's application for Clean Ohio grant funding.

Title

To resolve to support Franklin County in its effort to obtain Round 10 Clean Ohio grant funding for the cleanup and redevelopment of the former Delphi site at West Broad Street and Georgesville Road; and to declare an emergency.

Body

WHEREAS, the Columbus area contains brownfield properties which may qualify for Clean Ohio cleanup and redevelopment grant funding; and

WHEREAS, the Columbus Department of Development has been involved with brownfield redevelopment since 1999 through its administration of the Columbus Brownfield Redevelopment Program and its associated task force; and

WHEREAS, Clean Ohio grant funding will greatly compliment the efforts of the City of Columbus in helping to clean up and redevelop brownfield properties in the Columbus area ; and

WHEREAS, the Columbus Department of Development seeks the support of Columbus City Council, on behalf Franklin County, in this endeavor to apply for Round 10 Clean Ohio grant funding for the former Delphi site to demonstrate unity and commitment in cleaning and redeveloping brownfield sites in the Columbus area ; and

WHEREAS, an emergency exists in the usual daily operation of City Council in that it is immediately necessary to express its support for the application described herein in order to meet the application deadline, for the preservation of public health, peace, property, safety and welfare; now, therefore:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Columbus City Council hereby supports Franklin County in its effort to obtain Round 10 Clean Ohio grant funding for the purpose of incentivizing the cleanup and redevelopment of the former Delphi site to accommodate the Penn National Gaming casino.

Section 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Legislation Number: 0169X-2010

Drafting Date: 12/03/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 8935562 held by TIMITER INC, doing business as BLUE DIAMOND LOUNGE, located at 1980 OAKLAND PARK AV. 1ST FL & PATIO, COLUMBUS, OH 43224, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 8935562 held by TIMITER INC, doing business as BLUE DIAMOND LOUNGE, located at 1980 OAKLAND PARK AV. 1ST FL & PATIO, COLUMBUS, OH 43224; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 8935562 held by TIMITER INC, doing business as BLUE DIAMOND LOUNGE, located at 1980 OAKLAND PARK AV. 1ST FL & PATIO, COLUMBUS, OH 43224.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0170X-2010

Drafting Date: 12/03/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 5438514 held by MAIN & CHAMP FOOD & DELI INC, doing business as CHAMPION MARKET, located at 1130 E MAIN ST COLUMBUS, OHIO 43205, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 5438514 held by MAIN & CHAMP FOOD & DELI INC, doing business as CHAMPION MARKET, located at 1130 E MAIN ST COLUMBUS, OHIO 43205; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 5438514 held by MAIN & CHAMP FOOD & DELI INC, doing business as CHAMPION MARKET, located at 1130 E MAIN ST COLUMBUS, OHIO 43205.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0171X-2010

Drafting Date: 12/03/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 4343369 held by JOHYNA III INC, doing business as STELZER EXPRESS MART, located at 755 STELZER RD 1ST FL ONLY, COLUMBUS, OHIO 43219, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 4343369 held by JOHYNA III INC, doing business as STELZER EXPRESS MART, located at 755 STELZER RD 1ST FL ONLY, COLUMBUS, OHIO 43219; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 4343369 held by JOHYNA III INC, doing business as STELZER EXPRESS MART, located at 755 STELZER RD 1ST FL ONLY, COLUMBUS, OHIO 43219.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0172X-2010

Drafting Date: 12/07/2010

Version: 1

Current Status: Passed

Matter Type: Resolution

Title

To congratulate Daniela Williams, recipient of the 2010 Student of the Year Award, recognizing outstanding service to the Trinity Baptist Church New Life Sunday Church School and community on Friday, December 10, 2010.

Body

WHEREAS, the Student of the Year Award recognizes a student who takes exemplary strides in leadership and stands against injustices and pursues excellence in the areas of integrity, responsibility, and humility and upholds the standards set forth in the Word of God and whose involvement has made a significant contribution to the Trinity Baptist Church New Life Church School and community; and

WHEREAS, this year's recipient Daniela Williams, is a gracious, compassionate, and God fearing woman, a devoted wife, mother, sister, aunt, sister-in-law, volunteer, intercessor, and faithful servant; and

WHEREAS, Daniela is an outstanding leader and enthusiastic member of the Trinity Baptist Church and participates in the Worship services, Bible Study, New Life Sunday Church School, New Life Fellowship Choir, Altar Ministry, Anointed Dance Ministry Advisor, Eternal Praise Steppers (EPS) Advisor, and Revival Development Corporation Power of One, and

WHEREAS, Daniela serves her community and has invested her time, talent, resources and outstanding service to the St. Francis DeSales High School (Band and Athletics Club); and

WHEREAS, of all of her achievements, most important to Daniela his her wonderful family, one of the main reasons she considers herself a truly blessed woman; and

WHEREAS, Daniela's leadership has been an invaluable gift and her Christian Family (New Life Sunday Church School) and friends wishes to celebrate her life as a gift to all of us and a testimony of God's grace and mercy, now; therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby recognize and applaud Daniela Williams for her outstanding achievements and is hereby awarded this Resolution of distinction.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Deaconess Daniela Williams as a token of our high esteem.

Legislation Number: 0173X-2010

Drafting Date: 12/07/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To honor and congratulate Horizon Science Academy Columbus on its academic achievement and recognition as a "School of Excellence" for the second year in a row.

Body

WHEREAS, Horizon Science Academy provides students with an innovative world class education, rich in math, science and technology focused on preparing students to become bold inquirers, problem solvers and ethical leaders, skill-ready for post-secondary education to meet the challenges of a competitive global workforce; and

WHEREAS, Horizon Science Academy is managed by Concept Schools and since its inception in 1999, now has 25 schools and 7,000 students in four states; and

WHEREAS, students of all nationalities, race, economic backgrounds and scholastic levels are enrolled at Horizon Science Academy; and

WHEREAS, Horizon Science Academy has built its culture on a common set of values, student, teacher, and parent accountability, and high expectations all resulting in high levels of student achievement; and

WHEREAS, Horizon Science Academy has received an A+ School Report Card from the Ohio Department of Education; and

WHEREAS, Horizon Science Academy High School boasts a 97% Graduation Rate, of which 90% of students are accepted and enroll in college; and

WHEREAS, Horizon Science Academy has been recognized for the second year in a row as a "School of Excellence" for its outstanding achievement in education in key areas; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby congratulate Horizon Science Academy Columbus on its academic achievement and recognition as a "School of Excellence" for the second year in a row and wish them continued success in the future.

Legislation Number: 0174X-2010

Drafting Date: 12/08/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 9116341 held by 2110 LEONARD AVENUE LLC, doing business as EAST SIDE MARKET, located at 2110 LEONARD AV 1ST FL & BSMT, COLUMBUS, OH 43219, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 9116341 held by 2110 LEONARD AVENUE LLC, doing business as EAST SIDE MARKET, located at 2110 LEONARD AV 1ST FL & BSMT, COLUMBUS, OH 43219; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the

renewal of liquor permit number 9116341 held by 2110 LEONARD AVENUE LLC, doing business as EAST SIDE MARKET, located at 2110 LEONARD AV 1ST FL & BSMT, COLUMBUS, OH 43219.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0175X-2010

Drafting Date: 12/08/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 6191022 held by MOSIN INC, doing business as MOBIL MART, located at 2727 CLEVELAND AVE, COLUMBUS, OH 43224, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 6191022 held by MOSIN INC, doing business as MOBIL MART, located at 2727 CLEVELAND AVE, COLUMBUS, OH 43224; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 6191022 held by MOSIN INC, doing business as MOBIL MART, located at 2727 CLEVELAND AVE, COLUMBUS, OH 43224.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so

located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0176X-2010

Drafting Date: 12/08/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 8867837 held by THIND PETROLEUM INC, doing business as MORSE QUICK MART, located at 1570 MORSE ROAD, COLUMBUS, OH 43229, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 8867837 held by THIND PETROLEUM INC, doing business as MORSE QUICK MART, located at 1570 MORSE ROAD, COLUMBUS, OH 43229; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 8867837 held by THIND PETROLEUM INC, doing business as MORSE QUICK MART, located at 1570 MORSE ROAD, COLUMBUS, OH 43229.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0177X-2010

Drafting Date: 12/08/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 5379960 held by MJ CLUB 23 LLC, doing business as SLOOPYS, located at 2619 N HIGH ST, COLUMBUS, OH 43202, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 5379960 held by MJ CLUB 23 LLC, doing business as SLOOPYS, located at 2619 N HIGH ST, COLUMBUS, OH 43202; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 5379960 held by MJ CLUB 23 LLC, doing business as SLOOPYS, located at 2619 N HIGH ST, COLUMBUS, OH 43202.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0178X-2010

Drafting Date: 12/09/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To honor and celebrate the 2010 Hartley Hawk Football Family for being crowned State Champions in Division IV.

Body

WHEREAS, Bishop Hartley High School, named in memory of Bishop James J. Hartley, the fourth Bishop of Columbus, bases itself upon 6 pillars-faith, service, preparation, spirit, community, and leadership; and

WHEREAS, using the 6 pillars as a foundation, at least 98% of Bishop Hartley graduates attend a two- or four-year college with the class of 2009 earning over \$7.7 million in academic and merit-based scholarships; and

WHEREAS, Bishop Hartley believes that becoming a well rounded individual is essential to any child's success with over 90% of its students involved in some sort of extracurricular activity including; numerous clubs, a drama department, the Hawks Always Remember To Serve (HARTS) Club, an In the Know Team, an outstanding music department, and an athletics department that is second to none; and

WHEREAS, the 2010 Hartley Hawk Football Family started its quest for gridiron glory with a "Win Every Day" offseason program that included various team building activities that culminated with a season opening win versus Amanda-Clearcreek; and

WHEREAS, the 2010 Hartley Hawk Football Family persevered through the ups and downs of the football season, overcoming injuries, and other challenges that would have stopped lesser teams from achieving their goal of reaching the State playoffs; and

WHEREAS, the 2010 Hartley Hawk Football Family represented the City of Columbus in the Division IV State Championship game by defeating Chagrin Falls 34-13; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That we do hereby honor and celebrate the 2010 Hartley Hawk Football Family for being crowned State Champions in Division IV.

Legislation Number: 0179X-2010

Drafting Date: 12/09/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To honor, recognize and celebrate the life of William C. "Pablo" Davis and extend our sincere condolences to his family and friends on the occasion of his passing, November 30, 2010.

Body

WHEREAS, William C. "Pablo" Davis was born February 25, 1949 in Cleveland, Ohio. He was a track star at Glenville High School in Cleveland and a proud graduate of Ohio University and member of the Omega Psi Phi Fraternity; and

WHEREAS, Mr. Davis was a leader in the creation of the music of the 70's and 80's and was a successful music producer, director and promoter for 25 years; and

WHEREAS, Mr. Davis was instrumental in the careers of many entertainers including Midnight Star, Baby Face, After 7, Cameo, The Deal and many others and his influence made an indelible mark in the music that is heard today; and

WHEREAS, after retiring from the music industry in the early 90's, Mr. Davis began a second career as an award winning business development specialist with the Small Business Administration and helped many entrepreneurs achieve their business goals. He served as the leader of the Columbus Near East Area Commission during the Ameriflora years; and

WHEREAS, Mr. Davis will be remembered by his friends, family and people throughout the nation for his ability to make everyone happy, his love of water sports, good food, children, and his family in Cleveland and Columbus. He will be sorely missed by all who knew and loved him; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this council does hereby honor, recognize and celebrate the long and fulfilling life of William C. "Pablo" Davis and extend our sincerest condolences to his family and friends on the occasion of his passing.

Legislation Number: 0180X-2010

Drafting Date: 12/10/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To express the appreciation of the Council of the City of Columbus to Michael C. Mentel for his service to this Council and for his commitment to improving the quality of life for all Columbus residents.

Body

WHEREAS, Michael C. Mentel, appointed to Columbus City Council in 1998, thus continuing a long tradition of public service in the Mentel family, has faithfully served the citizens of Columbus for 12 years; and

WHEREAS, throughout his years of service, Council President Mentel has consistently worked with public safety officials, union leaders and rank and file police officers and firefighters to provide Columbus first responders with the best training and technology possible to keep residents and visitors safe; and

WHEREAS, Council President Mentel has helped to craft responsible, balanced budgets even during the most troubling economic times, budgets that reflected the values and essential services sought after by City residents; and

WHEREAS, Council President Mentel has consistently advocated for the least among us, working with and ensuring funding for organizations such as the Community Shelter Board to provide comfort, hope and an alternative to living on the streets to hundreds of men, women and children; and

WHEREAS, to help realize that dream of moving Columbus' homeless population to stabilized housing, created the position of Director of Advocacy for Homeless and Social Services to best coordinate our community's response to homelessness; and

WHEREAS, Council President Mentel has helped to nurture a better relationship between City Council and various Area

Commissions and neighborhood associations by convening a special working group of residents to study ways to improve communication between neighborhood organizations and City Council; and

WHEREAS, Council President Mentel has traveled nationally and internationally to foster economic growth in Columbus by acting as an ambassador for local business and educational institutions; and

WHEREAS, Council President Mentel has fought to break down long standing barriers that separate municipalities and governmental agencies to improve the quality of life in the central Ohio region; and

WHEREAS, when necessary, Council President Mentel has reached across party lines to promote a sense of bipartisan cooperation rarely seen in today's political climate; and

WHEREAS, the presence of Council President Michael C. Mentel in Council Chambers will be sorely missed, but never forgotten for his legacy will live on in the numerous lives he has enriched and improved; now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby recognize and express its appreciation to Michael C. Mentel for his service to this Council and for his commitment to improving the quality of life for all Columbus residents.

Legislation Number: 0181X-2010

Drafting Date: 12/10/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To express the appreciation of the Council of the City of Columbus to Charleta B. Tavares for her service to this Council and for her commitment to improving the quality of life for all Columbus residents.

Body

WHEREAS, Charleta B. Tavares, a proud graduate of Columbus Eastmoor High School was appointed to Columbus City Council in 1999, faithfully serving the citizens of Columbus for more than a decade; and

WHEREAS, Charleta B. Tavares' state and national reputation as a leader in the areas of health and human services was instrumental in her appointment to serve as the Chair of the Council's Health & Human Development Committee; and

WHEREAS, Charleta B. Tavares sponsored and successfully passed some of the most significant legislation in recent history in the areas of health, human development and housing including: the Clean Indoor Air Act, the Housing Preservation Fund; the Living Donor Paid Leave Program, the Emergency Human Services Capital Fund, the Columbus Foreclosure Resolution, the Columbus/Franklin County Affordable Housing Trust, the Columbus Legislative Internship Program, the Columbus Youth Safety Helmet Law, and the Disappearing Real Property Owner Law; and

WHEREAS, prior to joining Council, Charleta B. Tavares served as the State Representative in the 22nd House District for 5 ½ years and was the first African-American female to serve in the state legislature from Franklin County and the first African-American woman to hold a leadership position in the Ohio General Assembly; and

WHEREAS, Charleta B. Tavares currently serves as Executive Director of Multiethnic Advocates for Cultural Competence, an organization whose mission is to enhance the quality of care in Ohio's behavioral healthcare system; and

WHEREAS, Charleta B. Tavares served on many National, State and Local Boards including the National League of Cities, the NLC Advisory Council, the National Black Caucus of Local Elected Officials, the NLC Human Development Steering Committee, and the WAND Education Fund; the Ohio Suicide Prevention Foundation, Columbus Compact, Franklin County Family and Children First Council; Access Health Columbus; Community Research Partners, and Columbus/Franklin County Housing Advisory Board; and

WHEREAS, Charleta B. Tavares is a member of Corporate Sisters, the Ohio Business and Professional Women's Organization; the Ohio Municipal League; the Hispanic Elected Local officials, Women in Municipal Government, the National Coalition of 100 Black Women; and the National Black Caucus of Local Elected Officials and has received more than 200 national and state honors and awards, spanning all areas from education to public service; and

WHEREAS, Charleta B. Tavares is a founding member and former Vice President of the Columbus Chapter of the National Coalition of 100 Black Women and serves on the Executive Committees of the Franklin County and Ohio Democratic Party and served as a member of the 1988 Platform Committee and attended or served as a delegate to the Democratic National Convention from 1984-2008; and

WHEREAS, throughout her years of service, the consistent thread that runs through each initiative Charleta B. Tavares has championed and implemented has been her sincere desire to improve the quality of life for the most vulnerable Columbus residents and her presence will be sorely missed, but never forgotten; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby recognize and express its appreciation to Charleta B. Tavares for her service to this Council and for her commitment to improving the quality of life for all Columbus residents.

Legislation Number: 0182X-2010

Drafting Date: 12/10/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To resolve to support Metro Parks in its Clean Ohio Revitalization Fund application for work at the Southern Tier and impound lot on the Whittier Peninsula; and to declare an emergency.

Body

WHEREAS, the City of Columbus is interested in supporting the Metro Parks application to the Clean Ohio Council for the Clean Ohio Revitalization Fund, Sustainable Reinvestment Pilot Track, for remediation of the Southern Tier and impound lot on the Whittier Peninsula; and

WHEREAS, the state of Ohio, through the Clean Ohio Council, provides financial assistance to local governments for the purpose of addressing local needs; and

WHEREAS, Metro Parks is submitting a Clean Ohio Revitalization Fund Program application to complete eligible activities, including but not limited to the performance of remedial activities at the impound lot on the Whittier Peninsula redevelopment project; and

WHEREAS, the Southern Tier and impound lot on the Whittier Peninsula is an approximately 70-acre property located principally at 400 West Whittier Street, identified as permanent parcels numbers 010023620-80, 010023620-90, 010058167, 010249657, 010067084, and 010025989, and located within the boundary of the City of Columbus; and

WHEREAS, Metro Parks intends to remediate the property, which formerly operated as the Southern Tier and City of

Columbus Car Impound Lot, for redevelopment into park land; and

WHEREAS, the City of Columbus is committed to working with Metro Parks to prepare and submit the application for the Clean Ohio Revitalization Fund to pursue the remediation and redevelopment of the property; and

WHEREAS, the City of Columbus has designated the project property consisting of the redevelopment of the Southern Tier and impound lot on the Whittier Peninsula as a high priority initiative; and

WHEREAS, the Clean Ohio Revitalization Fund grant is vital to making the completion of the Southern Tier and impound lot on the Whittier Peninsula redevelopment project economically feasible; and

WHEREAS, an emergency exists in the usual daily operation of City Council in that it is immediately necessary to express its support for the application described herein in order to meet the application deadline, for the preservation of public health, peace, property, safety and welfare; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That this Council hereby supports Metro Parks in its Clean Ohio Revitalization Fund application for work at the Southern Tier and impound lot on the Whittier Peninsula.

Section 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Legislation Number: 0183X-2010

Drafting Date: 12/13/2010

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To recognize and commend Assistant Chief Richard A. Braun for his 36 years of distinguished service to the City of Columbus and the Columbus Division of Fire.

Body

WHEREAS, Assistant Chief Richard A. Braun has served the Columbus Division of Fire and the citizens of the City of Columbus for over 36 years, beginning his career in October, 1973 working at Fire Stations 4, 14 and 15; and

WHEREAS, in 1982, Assistant Chief Braun was promoted to Fire Lieutenant where he managed shift operations at Station 23, and in October, 1988, was promoted to Fire Captain; and

WHEREAS, moving up the ranks to Battalion Chief in 1991, Assistant Chief Braun managed all operations at the 911 Call Center, dispatching of more than 120,000 calls per year; and

WHEREAS, in 1993, Assistant Chief Braun received the Division of Fire Distinguished Service Award for his role in developing of the new Computer Aided Dispatch (CAD) and radio communications system for the Division of Fire, and coordinating the development and implementation of the County-wide 800MHz program; and

WHEREAS, in 1997, Braun was promoted to Deputy Fire Chief, managing the Emergency Services operations for seven battalions, 31 fire stations and more than 300 Firefighters and Emergency Medical Services (EMS) personnel; and

WHEREAS, in March, 1999, Braun was promoted to Assistant Fire Chief where he directed all operations at the

Columbus Fire Academy including training programs for new recruits, journeyman and officers as well as EMT Basic and Paramedic programs; and

WHEREAS, as an Assistant Fire Chief, Braun was selected to direct the day to day operations of the Division as the Executive Officer in March, 2002, directly supervising the Administrative Bureau, Payroll, Recruitment, Background Investigations and the Professional Standards Unit; and

WHEREAS, at the time of his separation from the Columbus Division of Fire, Assistant Chief Braun was in charge of the Emergency Services Bureau, with the responsibility for all emergency services operations; deployment of manpower and emergency scene command responsibility; and

WHEREAS, Assistant Chief Braun, who has been continually recognized as a highly organized and resourceful person; an effective team builder and motivator; and a firefighter who has demonstrated excellent communication and leadership skills throughout his career, has now been hired as Fire Chief by the City of Cincinnati; now; therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby recognize and commend Assistant Chief Richard A. Braun for his 36 years of distinguished service to the City Columbus and the Columbus Division of Fire.

Legislation Number: 1406-2010

Drafting Date: 09/24/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of the Department of Technology and the Director of the Department of Public Utilities to enter into an agreement with Wireless Matrix Corporation in the amount of \$439,271.34, for an Automated Vehicle Location (AVL) System.

The Department of Public Utilities is in the process to implement a fully functional Automated Vehicle Location (AVL) system that will enable the location and monitoring of City-owned vehicles. The initial project targets installation of the AVL system on approximately 500 vehicles. The system will be used to determine the geographic location of vehicles through the use of a global positioning system (GPS) and transmit the location back to the requestor. The system will be capable of visually displaying the location of the vehicles in near real time, as well as record the information for replay and reporting.

The City anticipates numerous benefits as a result of implementing this system, including:

- Increased operating efficiencies through route optimization and evenly distributing workloads
- Improved customer service through quicker response time
- Lower fuel costs by reducing engine idling and miles driven
- Improved safety for the field personnel
- Enhanced emergency preparedness

2. BID INFORMATION: The selection of the firm providing the system has been performed in accordance with the procedures set forth in Columbus City Code, Section 329.14, "Awarding professional service contracts through requests for proposals". The evaluation criteria for this contract included: 1. vendor's competence, 2. quality and feasibility, 3. ability, 4. past performance, 5. pricing structure, and 6. environmental preference.

Seventeen requests for proposals (RFP's) were received on December 9, 2009 and narrowed down to Wireless Matrix Corporation, SageQuest LLC, Navtrak, Inc., and WebTech Wireless.

Wireless Matrix Corporation was the firm selected for the Automated Vehicle Location (AVL) System. Their Contract Compliance Number is 91-1625653 (expires 11/11/11, Majority). Additional information regarding each firm, description of work, contract time frame and detailed amounts can be found on the attached Information form.

3. FISCAL IMPACT: Funds for this project are available within the Water Build America Bonds Fund, the Sanitary Build America Bonds (B.A.B.'s) Fund, the Stormwater Build America Bonds Fund, and the Electric Build America Bonds Fund. An amendment to the 2010 Capital Improvements Budget is also necessary. Additionally, \$235,622.00 will be expended from the Operations and Maintenance budgets for 2012 and 2013 to cover maintenance agreements for this system.

EMERGENCY DESIGNATION: It is requested that this Ordinance be handled in an emergency manner in order to pass before City Council's December recess and to have the contract in place as soon as possible.

Title

To authorize the Directors of the Department of Technology and the Department of Public Utilities to enter into an agreement with Wireless Matrix Corporation for an Automated Vehicle Location (AVL) System for the Department of Public Utilities; to authorize the transfer and expenditure of funds within the Water Build America Bonds Fund, the Sanitary Build America Bonds Fund, the Stormwater Build America Bonds Fund, and the Electric Build America Bonds Fund; to amend the 2010 Capital Improvements Budget; and to declare an emergency (\$439,271.34)

Body

WHEREAS, seventeen proposals for an Automated Vehicle Location (AVL) System were received on December 9, 2009; and

WHEREAS, Wireless Matrix Corporation was the firm selected for this project, based on criteria set forth in Columbus City Codes; and

WHEREAS, this system will be used to determine the geographic location of vehicles through the use of a global positioning system (GPS) and transmit the location back to the requester; and

WHEREAS, it is necessary to authorize the transfer and expenditure of funds within the Water Build America Bonds Fund, the Sanitary Build America Bonds Fund, the Stormwater Build America Bonds Fund, and the Electric Build America Bonds Fund, for purposes of providing sufficient funding for the aforementioned project expenditures; and

WHEREAS, it is necessary to authorize an amendment to the 2010 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology and the Department of Public Utilities, in that it is immediately necessary to authorize the Directors of Technology and Public Utilities to enter into an agreement for an Automated Vehicle Location (AVL) System Project, in an emergency manner in order to have the contract executed as soon as possible, for the immediate preservation of the public health, peace, property and safety;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Directors of the Department of Technology and the Department of Public Utilities be and hereby are authorized to enter into an agreement for an Automated Vehicle Location (AVL) System with Wireless Matrix Corporation, 4700 Lakehurst Court, Suite 100, Dublin, Ohio 43016; in the amount of \$439,271.34; in accordance with the terms and conditions of the contract on file in the offices of the Department of Public Utilities.

SECTION 2. That the City Auditor is hereby authorized to transfer \$170,437.28 within the Department of Public Utilities, Division of Power and Water (Water), Dept/Div. No. 60-09, Water Build America Bonds Fund, Fund No. 609, Object

Level Three 6655, as follows:

Fund No. | Project No. | Project Name | OCA Code | Change

609 | 690485-100000 (carryover) | Technology Resources | 609485 | -\$170,437.28
609 | 690485-100002 (carryover) | Technology Resources - AVL | +\$170,437.28

SECTION 3. That the City Auditor is hereby authorized to transfer \$191,083.03 within the Department of Public Utilities, Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sanitary Build America Bonds Fund, Fund No. 668, Object Level Three 6655, as follows:

From:

Project No. | Project Name | OCA Code | Change

650404-100030 | 2007 Annual Lining Contract (carryover) | 630404 | (-\$191,083.03)

To:

Project No. | Project Name | OCA Code | Change

650729-100001 | Technology Resources - AVL | 687291 | (+\$191,083.03)

SECTION 4. That the City Auditor is hereby authorized to transfer \$50,955.48 within the Department of Public Utilities, Division of Sewerage and Drainage, Stormwater Section, Dept/Div. No. 60-15, Stormwater Build America Bonds Fund, Fund No. 676, Object Level Three 6655, as follows:

Project No. | Project Name | OCA Code | Change

610775-100000 (carryover) | Evergreen & Dewberry Storm Sewer | 685775 | -\$50,955.48
611018-100000 (carryover) | Technology Services | 676018 | +\$50,955.48

SECTION 5. That the City Auditor is hereby authorized to transfer \$26,795.55 within the Department of Public Utilities, Division of Power and Water (Power), Dept/Div. No. 60-07, Electric Build America Bonds Fund, Fund No. 559, Object Level Three 6655, as follows:

Project No. | Project Name | OCA Code | Change

670608-100004 (carryover) | Dublin Ave Sub 138 KV Switch Repl | 536084 | -\$26,795.55
670639-100000 (carryover) | Technology Services | 559639 | +\$26,795.55

SECTION 6. That the 2010 Capital Improvements Budget is hereby amended as follows:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change

609 | 690485-100000 (carryover) | Technology Resources | \$1,000,000 | \$829,562 | -\$170,438
609 | 690485-100002 (carryover) | Technology Resources - AVL | \$0 | \$170,438 | +\$170,438

668 | 650404-100030 | 2007 Annual Lining Contract (carryover) | \$200,000 | \$8,916 | -\$191,084

668 | 650729-100001 | Technology Resources - AVL | \$0 | \$191,084 | +\$191,084

676 | 610775-100000 (carryover) | Evergreen & Dewberry Storm Sewer | \$68,398 | \$17,442 | -\$50,956

676 | 611018-100000 (carryover) | Technology Services | \$40,368 | \$91,324 | +\$50,956

559 | 670608-100004 (carryover) | Dublin Ave Sub 138 KV Switch Repl | \$250,000 | \$223,204 | -\$26,796

559 | 670639-100000 (carryover) | Technology Services | \$0 | \$26,796 | +\$26,796

SECTION 7. That for the purpose of paying the cost of an Automated Vehicle Location (AVL) System or as much thereof as may be needed, by and the same, is hereby authorized as follows: Division of Power and Water (Water) | Div. No. 60-09 | Water Build America Bonds Fund | Fund No. 609 | Project 690485-100002 (carryover) | OCA 694852 | Object Level One 06 | Object Level Three 6655 | Amount \$170,437.28.

SECTION 8. That for the purpose of paying the cost of an Automated Vehicle Location (AVL) System or as much thereof as may be needed, by and the same, is hereby authorized as follows: Division of Sewerage and Drainage | Div. No. 60-05 | Sanitary Build America Bonds Fund | Fund No. 668 | Project 650729-100001 | 687291 | Object Level One 06 | Object Level Three 6655 | Amount \$191,083.03

SECTION 9. That for the purpose of paying the cost of an Automated Vehicle Location (AVL) System or as much thereof as may be needed, by and the same, is hereby authorized as follows: Division of Sewerage and Drainage (Stormwater) | Div. No. 60-15 | Stormwater Build America Bonds Fund | Fund No. 676 | Project 611018-100000 | OCA 676018 | Object Level One 06 | Object Level Three 6655 | Amount \$50,955.48.

SECTION 10. That for the purpose of paying the cost of an Automated Vehicle Location (AVL) System or as much thereof as may be needed, by and the same, is hereby authorized as follows: Division of Power and Water (Power) | Div. No. 60-07 | Electric Build America Bonds Fund | Fund No. 559 | Project 670639-100000 | OCA 559639 | Object Level One 06 | Object Level Three 6655 | Amount \$26,795.55.

SECTION 11. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 12. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 13. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 14. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1490-2010

Drafting Date: 10/06/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This legislation authorizes the Director of the Department of Technology (DoT), to enter into contracts with Sagemcom Canada, Inc. for the purchase of the Sagecom Canada Inc. XMediusFAX software, licenses and support for \$12,726.85, and with Logos Communications Inc. (LOGOS) for \$13,600.00 associated professional installation services. The City of Columbus is executing a plan that includes utilizing the data infrastructure investment and extending a platform to provide a Cisco Unified Communications solution to each of the city's departments. The City of Columbus is also currently working on a collaborative IT project titled CHRIS. The CHRIS project involves a variety of business process improvements that primarily address employee management functions of the organization. A primary requirement for the proposed solution is the ability to separate out administration based on Active Directory accounts, document management is a significant component of this solution. This option is available with the Media software, which would provide a citywide solution. As fax is a common method of communication within the City departments, a method of gathering these faxes into the document management solution has become a priority for the CHRIS project. Recognizing that fax communication is an important topic as it related to the CHRIS Project (payroll system), Logos Communications, Inc. was engaged to deliver a needs assessment to identify the appropriate fax architecture to meet the current and future needs of the various city departments.

Sagemcom Canada Inc. XMediusFAX is the preferred solution, as it will meet and exceed many of the requirements gathered throughout this assessment process. LOGOS is our existing Voice Over IP consultant, so it is in the City's best

interest and most practical alternative to have LOGOS provide the professional installation services for Fax Over IP. LOGOS is also responsible for supporting the city's Cisco Unified Communications Manager (CUCM). The CUCM handles the routing and transferring of all VOIP call traffic, when Fax Over IP is added to the city, the fax information will be routed by the CUCM.

This ordinance also requests to waive the competitive bidding provisions in accordance with Section 329.06 of the Columbus City Code. This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

EMERGENCY:

Emergency action is requested to ensure that the necessary purchase orders are established in a timely manner to allow the vendor to start their project service work as planned and not delayed.

FISCAL IMPACT:

The cost associated with this legislation is \$26,326.85 for the purchase of the SageCom Canada Inc. XMediusFAX software and to enter into a contracts with Sagemcom Canada, Inc. and Logos Communications Inc., for associated professional services, this amount is budgeted and available within the Department of Technology, Information Services Capital Improvement Fund.

CONTRACT COMPLIANCE NUMBERS:

Logos Communications, Inc., CC#: 34-1631678, Expiration Date: 11/17/2012
Sagemcom Canada, Inc., CC#: 98-0231729, Expiration Date: 11/18/2012

Title

To authorize the Director of the Department of Technology, to enter into contracts with Sagemcom Canada Inc for the purchase of the Sagemcom Canada Inc. XMediusFAX software and to enter into a contract with Logos Communications Inc., for associated professional services; to waive the competitive bidding provisions of the Columbus City Codes; to authorize the expenditure of \$26,326.85 from the Department of Technology, Information Services Capital Improvement Fund; and to declare an emergency. (\$26,326.85)

Body

WHEREAS, this legislation authorizes the Director of the Department of Technology (DoT), to enter into contracts with Sagemcom Canada Inc. for the purchase of the Sagemcom Canada Inc. XMediusFAX software and with Logos Communications Inc., for associated professional services; and

WHEREAS, recognizing that fax communication is an important topic as it related to the CHRIS Project (payroll system), Logos Communications, Inc. was engaged to deliver a needs assessment to identify the appropriate fax architecture to meet the current and future needs of the various city departments; and

WHEREAS, this ordinance also requests approval to waive the competitive bidding provisions in accordance with Columbus City Code, Section 329.06; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology, in that it is immediately necessary to enter into contracts with Sagemcom Canada Inc. for the purchase of the Sagemcom Canada Inc. XMediusFAX software and with Logos Communications Inc. (LOGOS) for associated professional services, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1: That the Director of the Department of Technology is hereby authorized to enter into contracts with Sagemcom Canada Inc., for the purchase of the Sagemcom Canada Inc. XMediusFAX software for \$12,726.85 and with Logos Communications Inc., for \$13,600.00 to cover the cost of professional installation services, with funds associated

with this ordinance coming from within the Department of Technology, Information Services Capital Improvement Fund.

SECTION 2: That the expenditure of \$26,326.85 or so much thereof as may be necessary is hereby authorized to be expended from:

Dept./Div.:47-02| **Fund:** 514| **Subfund:** 002| **OCA Code:** 514049| **Project Number:** 470049-100000| **Project Name:** Human Resources Information System| **Obj. Level 1:** 06| **Obj. Level 3:** 6655| **Amount:** \$26,326.85|

(Sagemcom -\$12,726.85 and Logos Communications Inc., - \$13,600.00)

SECTION 3: That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 4: That this ordinance requests approval to waive the competitive bidding provisions of Section 329.06 of the Columbus City Code.

SECTION 5: That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1504-2010

Drafting Date: 10/08/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. **BACKGROUND:**

- A. **Need.** This legislation authorizes the Director of Public Utilities to modify the professional engineering services agreement with Malcolm Pirnie, Inc. for the Southerly Wastewater Treatment Plant (SWWTP) New Headworks project. The Malcolm Pirnie, Inc. modification amount requested under this ordinance is \$583,000.00. The contract total including this modification is \$18,076,045.77. The proposed contract modification provides funding for preparation of a Federal ARRA (Stimulus) grant funding request/application for the Waste Digester Gas Utilization Improvements construction contract, Detailed Design services, and Services During Construction estimated to be needed for these improvements. This contract modification is a continuation of the services included within the existing contract's scope of service. The design of the headworks decommissioning included installing the digester gas line from the anaerobic digesters to the Screen and Grit Building boilers. The additional work included in this modification is a logical extension of this digester gas service line to the Service Building, which it passes. The existing fuel oil boilers in the Service Building have exceeded their useable life by more than 20 years and are no longer operating at optimum performance. The use of digester gas by the boilers in the both buildings will reduce the plant's daily need for natural gas and fuel oil. The transition to burning digester gas greatly reduces the amount of fossil fuel greenhouse gases released during boiler operation. The potential need for portions of this work was foreseen and so stated in the original contract's legislation, and is therefore a planned continuation of the services originally included within the existing contract's scope of service. It is not deemed either feasible or reasonable to suspend work with the entity currently under contract and undertake continuation of these services with another procurement. The cost of the modification is a continuation of the vendor's current pricing structure, as verified by City staff.

Amount of additional funds to be expended: \$583,000.00

Original Contract		\$ 1,567,500.00
Modification No. 1		\$ 707,500.00
Modification No. 2		\$ 3,060,000.00
Modification No. 3	\$ 122,000.00	
Modification No. 4	\$ 50,000.00	
Modification No. 5	\$ 3,193,000.00	
Cancellation of Mod. 5's Remaining Balance		(\$ 589,954.23)
Modification No. 6	\$ 3,792,000.00	
Modification No. 7	\$ 4,614,000.00	
Modification No. 8	\$ 280,000.00	
Modification No. 9	\$ 697,000.00	
Proposed Modification No. 10	\$ 583,000.00	
Anticipated future needs	\$ 109,000.00	
CURRENT PROPOSED TOTAL		\$18,185,045.77

Reasons additional goods/services could not be foreseen:

The original headworks decommissioning, including the digester gas piping to the Screen and Grit Building, was planned and anticipated, and so stated in the original contract's legislation. It is a planned continuation of the services originally included within the existing contract's scope of service.

Reason other procurement processes are not used:

In so much as a large portion of this work was planned for and anticipated within the original procurement, and due to the highly complex and technical nature of this wastewater treatment plant infrastructure, it is not reasonable or cost efficient to undertake a new procurement effort to acquire these services. The lengthy process for initiating a new procurement, and for a new entity to gain understanding of the project, would likely cause an unacceptable project delay and additional cost.

How cost of modification was determined:

A cost proposal was provided by Malcolm Pirnie, Inc. and reviewed by the Division of Sewerage and Drainage and was deemed acceptable. The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal.

B. Contract Compliance No.: 132653703/001 (MAJ) (Expires 03/09/2012)

C. Emergency Designation: Emergency designation is not requested.

2. FISCAL IMPACT:

This ordinance authorizes the Director of Public Utilities to expend \$583,000.00 in funds from the B.A.B.s (Build America Bonds) Fund. There is sufficient budget authority in the 2010 Capital Improvements Budget for this expenditure.

Title

To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with Malcolm Pirnie, Inc. for the Southerly Wastewater Treatment Plant New Headworks project; and to authorize the expenditure of \$583,000.00 within the B.A.B.s (Build America Bonds) Fund for the Division of Sewerage and Drainage. (\$583,000.00).

Body

WHEREAS, Contract No. CT-18653 was authorized by Ordinance No. 2026-97, as passed by Columbus City Council on July 28, 1997 for purposes of authorizing the Director of Public Utilities to enter into a contract for professional engineering services with Malcolm Pirnie, Inc. for the Southerly Wastewater Treatment Plant New Headworks Project; and

WHEREAS, it is necessary to modify the subject contract in order to provide funding for an Federal ARRA (Stimulus) grant funding request/application, Detailed Design services, and Services During Construction estimated to be needed for

Waste Digester Gas Utilization Improvements construction contract under the Southerly Wastewater Treatment Plant New Headworks Project; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary B.A.B.s (Build America Bonds) Fund; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to modify the professional engineering services agreement with Malcolm Pirnie, Inc. for Southerly Wastewater Treatment Plant New Headworks project, at the earliest practical date; **Now, Therefore**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be, and hereby is, authorized to modify Contract No. CT-18653 with Malcolm Pirnie, Inc., 1900 Polaris Parkway, Suite 200, Columbus OH 43240-2020, for professional engineering services for the Southerly Wastewater Treatment Plant New Headworks project, in order to provide the professional engineering services in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage.

Section 2. That the Director of Public Utilities be and hereby is authorized to expend a total of \$583,000.00 from the Sanitary B.A.B.s (Build America Bonds) Fund into the Southerly Wastewater Treatment Plant New Headworks | Fund 668 | Div. 60-05 | Proj. 650352-100000 | OCA 668352 | Object Level Three 6676.

Section 3. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

Section 4. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 6. That the said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1550-2010

Drafting Date: 10/20/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Finance and Management Department, Office of Construction Management, to make various expenditures for labor, materials, equipment, and services in conjunction with various facilities improvements that are unplanned but will be necessary. Work may include any type of renovation of City-owned facilities, such as electrical, HVAC, and plumbing. All work will be done in accordance with the competitive bidding provisions of the Columbus City Codes. Funding for these expenditures is from the Construction Management Capital Improvement Fund.

Fiscal Impact: The Office of Construction Management budgeted \$557,701.00 in the 2010 Capital Improvements Budget for various facility renovations - including this particular item. This legislation authorizes an expenditure of \$200,000.00.
Title

To authorize the Finance and Management Director to expend \$200,000.00 from the Construction Management Capital Improvement Fund for various facility renovations. (\$200,000.00)

Body

WHEREAS, various unexpected facility renovations will likely become necessary within the Finance and Management Department, Office of Construction Management; and

WHEREAS, an Auditor's Certificate is necessary to provide funding for these renovations; and

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the purchase of labor, materials, and equipment will likely become necessary for various facility renovations within the Finance and Management Department, Office of Construction Management.

SECTION 2. That the expenditure of \$200,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Construction Management Capital Improvement Fund No. 746, to pay the cost thereof. All work will be done in accordance with the competitive bidding provisions of the Columbus City Codes. City Council recognizes this ordinance does not identify the contractor(s) to whom the contract(s) will be awarded and understand its passage will give the Finance and Management Director the final decision in determination of the lowest best responsive and responsible bidder for such contract(s). This Council is satisfied it is in the best interests of the City to delegate this contracting decision.

<u>Fund Type</u>	<u>Dept. No.</u>	<u>Fund</u>	<u>Project No.</u>	<u>Title</u>	<u>Level 3</u>	<u>Code</u>	<u>Amount</u>
Cap. Proj.	45-50	746	570030- 100120	Facility Renovations	6601	733030	\$200,000.00

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contract or contract modifications associated with this ordinance.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1569-2010

Drafting Date: 10/25/2010

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from The Kroger Company asking that the City transfer a portion of the Grace Street right-of-way, west of Wilson Road, in exchange for the dedication of a 0.142 acre tract along the western edge of Wilson Road, north of West Broad Street. The transfers of these rights-of-way have been agreed to and will be of mutual benefit to The Kroger Company and The City of Columbus.

This transfer will facilitate the construction of a proposed fuel center on property currently owned by The Kroger Company. By transferring this property to the Kroger Co, the City benefits by eliminating a potentially unsafe access point and improving the ingress/egress to the site. This will also eliminate the maintenance responsibilities of the currently unused Grace Street right-of-way for the City of Columbus, as well as allowing compliance with the current Thoroughfare Plan through the dedication of the Wilson Road tract.

Per current practice, comments were solicited from interested parties, including City agencies, private utilities and the applicable area commission, before it was determined that, subject to the retention of a general utility easement for those utilities currently located within this right-of-way, the City will not be adversely affected by the vacation of this right-of-way.

The Department of Public Service then submitted a request to the Department of Law, Real Estate Division, asking that they establish a value for this right-of-way. A value of \$27,284.00 was established for this right-of-way, but it is the recommendation of the Division of Planning and Operations to transfer this right-of-way, based on upon the above conditions. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to The Kroger Company at no cost.

2. FISCAL IMPACT:

The City will receive a 0.142 acre tract of land along the western edge Wilson Road as consideration for the transfer of the requested right-of-way, and eliminate maintenance responsibilities for the unused Grace Street right-of-way.

Title

To authorize the Director of the Department of Public Service to execute those documents required to transfer the Grace Street right-of-way, west of Wilson Road, north of West Broad Street; **and to declare an emergency.**

Body

WHEREAS, the City of Columbus, Department of Public Service, received a request from The Kroger Company asking that the City transfer the Grace Street right-of-way to them; and

WHEREAS, acquisition of the right-of-way will allow The Kroger Company to construct a proposed fuel center on property currently owned by The Kroger Company; and

WHEREAS, per current practice, comments were solicited from interested parties, including City agencies, private utilities and applicable area commissions, before it was determined that the City will not be adversely affected by the transfer of this right-of-way; and

WHEREAS, the Department of Public Service submitted a request to the Department of Law, Real Estate Division, asking that they establish a value for this right-of-way; and

WHEREAS, a value of \$24,284.00 was established for this right-of-way; and

WHEREAS, the Land Review Commission voted to recommend that the above referenced right-of-way be transferred to The Kroger Company at no cost, based on the above noted conditions; and ~~now therefore~~

WHEREAS an emergency exists in the the usual daily operation of the Department of Public Service and Transportation in that it is immediately necessary to pass this ordinance to enable construction to begin as soon as possible after approval to take advantage of less inclement weather conditions during construction; for the preservation of the public health, peace, property, safety, and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Department of Public Service be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to The Kroger Company; to-wit:

The Grace Street right-of-way, west of Wilson Road, north of West Broad Street;
0.216 ACRE TRACT

DESCRIPTION OF 0.216 ACRE GRACE STREET TRANSFER WEST FROM N. WILSON ROAD, NORTH OF W.
BROAD STREET, CITY OF COLUMBUS, FRANKLIN CO., OHIO

May 07, 2010

Situated in the State of Ohio, County of Franklin, City of Columbus, in Virginia Military Survey No. 3315 and being a 0.216 acre portion of Grace Street, as shown upon the plat entitled Broad-Wilson Addition of record in Plat Book 10, Pages 144 and 145, said portion of Grace Street to be vacated is bounded and described as follows;

Beginning at a 3/4" I.D. iron pipe set in the south right-of-way line of Grace Street (50 feet in width), at the northwest corner of Lot No. 45, and at the northeast corner of Lot No. 44, both as shown upon said plat of Broad-Wilson Addition, said Lot No. 45 having been conveyed to Ahmad Mattan, by deed of record in Instrument 200506090111745 and said Lot 44 being a portion of a 39.531 acre tract of land conveyed to Buffalo-Broad Associates, LLC, by deed of record in Instrument 200105300118580;

Thence N 03° 34' 01" W crossing Grace Street and along an east line of said 39.531 acre tract a distance of 50.00 feet to a 3/4" I.D. iron pipe set in the north right-of-way line of Grace Street, at a corner of said 39.531 acre tract and in the south line of Reserve "A", as shown upon said plat of Broad-Wilson Addition;

Thence N 86° 25' 59" E along the north right-of-way line of Grace Street, along a portion of the south line of said Reserve "A", along a south line of said 39.531 acre tract and along the south line of a 0.044 acre tract of land conveyed, for N. Wilson Road right-of-way purposes, as Parcel 5-WD to the City of Columbus, by deed of record in Official Record 5856, Page G 08 a distance of 194.97 feet to a P.K. nail set at the southeast corner of said Reserve "A", at the southeast corner of said 0.044 acre tract and at the intersection of the north right-of-way line of Grace Street with the west right-of-way line of N. Wilson Road (variable width);

Thence S 12° 19' 19" W along the east end of Grace Street and along the west right-of-way line of N. Wilson Road a distance of 51.99 feet to a P.K. nail set at the northeast corner of Lot No. 47, as shown upon said plat of Broad-Wilson Addition, at the intersection of the south right-of-way line of Grace Street with the west right-of-way line of N. Wilson Road and at the northeast corner of a 0.035 acre tract of land conveyed, for N. Wilson Road right-of-way purposes, as Parcel 4-WD to the City of Columbus, by deed of record in Official Record 6112, Page I 02;

Thence S 86° 25' 59" W along the south right-of-way line of Grace Street, along the north line of said Lot No. 47, along the north line of Lot No. 46, as shown upon said plat of Broad-Wilson Addition, and along the north line of said Lot No. 45 a distance of 180.74 feet to the place of beginning, said Lot No. 46 and 47 having been conveyed to Ahmad Mattan, by deed of record in Instrument 200309230304029 (passing a 3/4" I.D. iron pipe set at the northwest corner of said 0.035 acre tract a distance of 25.00 feet);

containing 9,393 square feet (= 0.216 acre) of land, more or less and being subject to all easements and restrictions of record.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey performed under his supervision in January, 2008. Basis of bearings is the south line of Grace Street, being N 86° 25' 59" E, as transferred from a GPS survey of Franklin County monuments FCGS "FRANK 140" and FCGS 5335 performed by the Franklin County Engineer's Office in 1991, and is, based on the NAD83 (1986) Ohio State Plane Coordinate System, South Zone.

0.142 ACRE TRACT

DESCRIPTION OF 0.142 ACRE RIGHT-OF-WAY TAKE
N. WILSON ROAD, NORTH OF W.BROAD STREET,
CITY OF COLUMBUS, FRANKLIN CO., OHIO

Situated in the State of Ohio., County of Franklin, City of Columbus, in Virginia Military Survey No. 3315 and being a portion of Lot No. 46, a portion of Lot No. 47 and a portion of Grace Street, transferred in this Ordinance No. 1569-2010 all as shown upon the plot of Broad-Wilson Addition of record in Plot Book 10. Pages 144 and 145, said Lot No. 46 and Lot No. 47 having been conveyed to Ahmad Mattan by deed of record in Instrument 200309230304029, said tract bounded and described as follows;

Beginning at a 3/4" I.D. iron pipe set in the north right-of-way line of transferred Grace Street (50 feet in width), in the south line of Reserve "A", as shown upon said plot of Broad-Wilson Addition, and in the south line of a 0.044 acre tract of land conveyed, for N. Wilson Road right-of-way purposes, as Parcel 5-WD to the City of Columbus, by deed of record in Official Record 5856, Page G 08, said iron pipe being S 86° 25' 59" W a distance of 36.39 feet from a P.K. nail set at the intersection of the north right-of-way line of transferred Grace Street with the west right-of-way line of N. Wilson Road (variable width), at the southeast corner of said Reserve "A", all as shown upon said plot of Broad-Wilson Addition, and at the southeast corner of said 0.044 acre tract;

Thence N 86° 25' 59" E along the north right-of-way line of transferred Grace Street, along a portion of the south line of said Reserve "A" and along a portion of the south line of said 0.044 acre tract a distance of 36.39 feet to a 3/4" I.D. iron pipe set at the intersection of the north right-of-way line of transferred Grace Street with the west right-of-way line of N. Wilson Road (variable width), at the southeast corner of said Reserve "A", all as shown upon said plot of Broad-Wilson Addition, and at the southeast corner of said 0.044 acre tract;

Thence S 12° 19' 19" W along the east end of transferred Grace Street and along the west right-of-way line of N. Wilson Road a distance of 51.99 feet to a P.K. nail set at the intersection of the south right-of-way line of transferred Grace Street with the west right-of-way line of N. Wilson Road, at the northeast Corner of said Lot No. 47 and at the northeast corner of a 0.035 acre tract of land conveyed, for N. Wilson Road right-of-way purposes, as Parcel 4-WD to the City of Columbus, by deed of record in Official Record 6112, Page 102;

Thence S 86° 25' 59" W along a portion of the south right-of-way line of transferred Grace Street, along a portion of the north line of said Lot No. 47 and along the north line of said 0.035 acre tract a distance of 25.00 feet to a 3/4" I.D. iron pipe set at the northwest Corner of said 0.035 acre tract;

Thence S 51° 18' 26" E crossing a portion of said Lot No. 47 and along the southwesterly line of said 0.035 acre tract a distance of 19.96 feet to a P.K. nail set at a corner of said 0.035 acre tract;

Thence S 13° 45' 15" W crossing a portion of said Lot No. 47 and along the westerly line of said 0.035 acre tract a distance of 153.54 feet to a P.K. nail set in the south line of said Lot No. 47, at the southwest corner of said 0.035 acre tract, in the north line of Lot No. 23, as shown upon said plot of Broad-Wilson Addition and at the northwest Corner of a 0.043 acre tract of land conveyed, for N. Wilson Road right-of-way purposes, as Parcel 3-WD to the City of Columbus, by deed of record in Official Record 5607, Page J 03;

Thence S 86° 25' 59" W along a portion of the south line of said Lot No. 47, along a portion of the north line of said Lot No. 23 and along a portion of the south line of said Lot No. 46 a distance of 25.99 feet to a 3/4" I.D. iron pipe set;

Thence N 12° 19' 19" E crossing a portion of said Lot No. 46, crossing a portion of said Lot No. 47, crossing said transferred Grace Street and parallel width and sixty (60) feet easterly by perpendicular measurement from the centerline of N. Wilson Road a distance of 218.34 feet to the place of beginning;

containing 6,200 square feet (= 0.142 acre) of land, more or less and being subject to all easements and restrictions of record. Of said 0.142 acres, 0.042 acre (1,820 square feet) is within said transferred Grace Street, 0.100 acre (4,380 square feet) is within said Lot No. 47 and 0.0001 acre (3 square feet) is within said Lot No. 46.

The above description was prepared by Kevin L. Baxter, Ohio. Surveyor No. 7697, of C.F. Bird & R.I. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey performed under his supervision in January, 2008. Basis of bearings is the south line of Grace Street, being N 86° 25' 59" E, as transferred from a GPS survey of Franklin County monuments FCGS "FRANK 140" and FCGS 5335 performed by the Franklin County Engineers Office in 1991, and is based on the NAD83 (1986) Ohio State Plane Coordinate System, South Zone.

SECTION 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof.

SECTION 3. That a general utility easement in, on, over, across and through the above described right-of-way shall be and hereby is retained unto the City of Columbus for those utilities located within said right-of-way.

SECTION 4. That upon notification and verification of the relocation of all utilities located within the retained general utility easement area the Director of the Department of Public Service is hereby authorized to execute those documents necessary to release the retained general utility easement with no additional compensation due to the City and with no further legislative action required by the City.

SECTION 5. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be transferred without requiring competitive bidding and hereby waives the competitive provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of this property.

SECTION 6. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be transferred without requiring a recommendation from Land Review Commission and hereby waives the Land Review Commission provisions of Columbus City Codes (1959) Revised, Section 328.01 with regards to the transfer of this property.

SECTION 7. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approvals by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.**

Legislation Number: 1585-2010

Drafting Date: 10/27/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance authorizes the Director of the Department of Finance and Management, on behalf of the Department of Technology, to establish various purchase orders with the following vendors: Agilysys Inc. for the purchase of HP equipment and services as well as EMC equipment and services; Software House International (SHI) for the purchase of Symantec software and support, Microsoft SQL and Windows Server Licenses and software assurance. Three (3) purchase orders will be created utilizing the terms and conditions from pre-existing Universal Term Contracts (UTC), established through the competitive bid process by the Purchasing Office, and one (1) purchase order will be created utilizing a State Term Schedule, authorized for the City's use by Ordinance No. 582-87, with the following vendors:

*Agilysys Inc., HP Equipment and Services, \$795,405.67, (FL004390, BPCMP46A - Expiration Date: 6/30/11)

*Agilysys Inc., EMC Equipment and Services, \$872,389.84, (FL004391, BPCMP45A - Expiration Date: 6/30/11)

*Software House International, Inc. (SHI), Symantec software and support, \$18,970.00, (FL004714, BPSFT15B - Expiration Date: 9/30/11)

*Software House International, Inc. (SHI), \$108,395.10, (State Term Schedule, 0A07004 - Expiration Date: 6/30/11)

***See Attachment A: Purchase Summary for Ord. # 1585-2010**

The Department of Technology has identified a need to expand the virtualization platform it has built its data infrastructure on, to include disaster recovery, database, and desktop computing platforms. The required servers and associated infrastructure hardware will provide a recovery platform in case of any outage at the primary data center, provide hardware to establish lower cost database platforms, and establish a virtual desktop platform to better utilize existing desktop computing resources within the City. The Data Center/Disaster Recovery Site project is ready for the addition of hardware to bring information systems online in that facility. Purchase of the hardware infrastructure will provide a platform for faster recovery and higher availability of critical data system in the event of an outage at the primary facility. Server virtualization has been adopted by the Department of Technology to reduce the costs of data systems, reduce power consumption and cooling requirements, and provide further capabilities for recovery and availability of information systems. The initial phase of the virtualization project was completed in 2009. Expansion of this platform will allow the Department of Technology to further reduce costs of software licensing and hardware purchases, and through power consumption savings.

The HP ITSM software and associated services being purchased will provide the Department of Technology with an integrated suite of tools for IT asset management, service management and infrastructure monitoring. This will improve DoT's ability to detect, correlate and respond to events, manage IT asset lifecycles and manage infrastructure change resulting in higher system availability.

The purchase of two (2) EMC Storage Area Network (SAN) Unified Storage devices, including hardware, software, and professional services, will be used to deploy parts of DoT's Enterprise System Upgrades and Disaster Recovery projects. One of the EMC storage devices to be purchased will replace the existing EMC SAN device at the city's primary data center. The existing EMC SAN device is at capacity and approaching the model's End of Service Life date of December 31, 2011. The second EMC SAN device to be purchased will establish vital storage capability at the city's disaster recovery data center to support critical systems in the event of an extended outage at the primary data center.

DoT currently provides Data Storage, Backup and Recovery services that support the city's critical information technology systems such as 311, Accela, CUBS, GIS, Performance, WAM and Legistar from the City's primary data center. These services include the Enterprise Data Protection System, which is a mission critical system for protecting City data against loss due to hardware corruption, accidental deletion, catastrophic failures and disasters. In response to constantly growing data volumes and shrinking backup windows, DoT has begun a backup modernization strategy that employs backing up to disk. The deduplication software that DoT is pursuing is a key element to capacity optimization through the elimination of redundant data, greatly reducing the amount of storage infrastructure required by the Enterprise Data Protection System.

The purchase of the required software licenses will establish a virtual enterprise SQL database platform, and upgrade older systems to current and supported versions of the database platform. The Department of Technology has identified a need to expand the virtualization platform it has built its data infrastructure on, to include systems utilizing Microsoft database software. Most licenses for MS SQL database servers currently owned by the City are three versions behind. Current versions of software applications that utilize this platform are also beginning to phase out support for these older versions.

This ordinance also authorizes the appropriation and transfer of cash from other projects within the Information Services Bond Fund, and will amend the 2010 Capital Improvement Budget (CIB), passed April 14, 2010, Ordinance # 0564-2010, to accommodate for the additional expenditure authorized by this ordinance.

EMERGENCY:

Emergency action is requested to ensure that the necessary purchase orders are established in a timely manner to allow the vendors to start their project service work as planned and not delayed.

FISCAL IMPACT:

The total funding for this project in the amount of \$1,795,160.61 is available within the Department of Technology, Information Services Operating Fund (\$73,970.00) and Capital Improvement Bond Fund (\$1,721,190.61).

Also, funding needed for this ordinance and project from the Department of Technology, Information Services Capital Improvement Bond Fund totaling \$536,453.70 will come from transferring cash of (\$8,943.76) from the Security Program

Implementation Citywide Project (470047-100002), (\$81,330.00) from the Operations Equipment Upgrade Project (470030-100000) and (\$86,911.56) from the Whittier Peninsula Office Relocation Project (510041-100000), totaling (\$177,185.32) to (470047-100003) Asset Management; (\$312,235.52) from the Human Resource Information System Project (470049-100000) to Disaster Recovery Project (470037-1000000, which is a repayment of funding that was originally borrowed from Disaster Recovery Project, authorized by Ordinance # 1340-2009, passed on December 7, 2009); (\$47,032.86) from the Whittier Peninsula Office Relocation Project (510041-100000), to Server Virtualization Project (470030-100001).

CONTRACT COMPLIANCE NUMBERS:

Agilysys, Inc., CC#: 34-0907152, Expiration Date: 07/10/2011

Software House International Inc. (SHI), CC#: 22-3009648, Expiration Date: 11/16/2011

Title

To authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology to establish purchase orders with Agilysys Inc. and Software House International, Inc. (SHI), from pre-existing Universal Term Contracts (UTC) and a State Term Schedule, for the purchase of HP equipment and services, EMC equipment and services, Symantec software and support, Microsoft SQL and Windows Server Licenses and software assurance; to authorize the transfer of appropriation and cash between projects in the Information Services Bond Fund; to amend the 2010 Capital Improvement Budget; to authorize the expenditure of \$1,795,160.61 from the Department of Technology, Information Services Operating Fund and Capital Improvement Bond Fund; and to declare an emergency. (\$1,795,160.61)

Body

WHEREAS, The Department of Technology has identified a need to expand the virtualization platform it has built its data infrastructure on, to include disaster recovery, database, and desktop computing platforms; and

WHEREAS, information systems such as 311, Accela, CUBS, GIS, Performance, WAM and Legistar are critical to the operations of City agencies; and

WHEREAS, DoT maintains the Enterprise Data Protection System which protects the City's information systems against data and system state loss due to hardware corruption, accidental deletion, catastrophic failures and disasters; and

WHEREAS, The HP ITSM software and associated services being purchased will provide the Department of Technology with an integrated suite of tools for IT asset management, service management and infrastructure monitoring. This will improve DoT's ability to detect, correlate and respond to events, manage IT asset lifecycles and manage infrastructure change resulting in higher system availability; and

WHEREAS, The purchase of two (2) EMC Storage Area Network (SAN) Unified Storage devices, including hardware, software, and professional services, will be used to deploy parts of DoT's Enterprise System Upgrades and Disaster Recovery projects; and

WHEREAS, it is necessary for the Director of the Department of Finance and Management, on behalf of the Department of Technology, to establish purchase orders with the following vendors: Agilysys Inc., for the purchase of HP equipment and services as well as EMC equipment and services; Software House International (SHI) for the purchase of Symantec software and support, Microsoft SQL and Windows Server Licenses and software assurance, from three (3) pre-existing Universal Term Contracts (UTC) and one (1) State Term Schedule, authorized for the City's use by Ordinance No. 582-87; and

WHEREAS, this ordinance authorizes the appropriation and transfer of cash from other projects within the Information Services Bond Fund, and will amend the 2010 Capital Improvement Budget (CIB), passed April 14, 2010, Ordinance # 0564-2010, to accommodate for the additional expenditure authorized by this ordinance; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology, in that it is immediately necessary for the Director of the Finance and Management Department to establish various purchase orders with multiple vendors for the purchase of HP equipment and services, EMC equipment and services, Symantec software and support,

Microsoft SQL and Windows Server Licenses and software assurance, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1: That the Director of the Department of Finance and Management is hereby authorized to establish Purchase Orders from three (3) pre-existing Universal Term Contracts (UTC) and one (1) State Term Schedule with the following vendors as follows: Agilysys Inc., \$795,405.67, (UTC/FL004390); Agilysys Inc., \$872,389.84, (UTC/FL004391); Software House International, Inc. (SHI), \$18,970.00, (UTC/FL004714); and Software House International, Inc. (SHI), \$108,395.10, (State Term Schedule, 0A07004), as identified on the ***Attachment B: Purchase Summary for Ord. # 1585-2010 Funding Sources.**

SECTION 2: That the 2010 Capital Improvement Budget is hereby amended as follows for this expenditure:

Department of Technology, Information Services Dept./Div. 47-02

Information Services Bond Fund #514

<u>Project Name/Number/Subfund Change</u>	<u>Current CIB Amount</u>	<u>Revised Amount</u>	<u>Amount</u>
<u>Human Resources Info. System:</u> 470049-100000 / 002 (312,236)	942,500	630,264	
<u>Disaster Recovery:</u> 470037-100000 / 002 312,236	358,251	670,487	
<u>Operations Equipment Upgrade:</u> 470030-100000 / 003 (carryover) (81,330)	81,330	0	
<u>Whittier Peninsula:</u> 510041-100000 / 003 (carryover) (133,945)	280,000	146,055	
<u>Security Program Implementation:</u> 470047-100002 / 003 (carryover) (8,944)	54,008	45,064	
<u>Asset Management:</u> 470047-100003 / 003 177,186	222,555	399,741	
<u>Server Virtualization:</u> 470030-100001 / 003 47,033	303,108	350,141	

SECTION 3: That the City Auditor is hereby authorized and directed to transfer funds and appropriation within the Information Services Bond Fund as follows:

FROM:

Dept./Div. 47-02| Fund 514| Subfund: 003| Project Number: 470047-100002 (Carryover)| Project Name: Security Program Implementation| OCA Code: 514247| Amount: \$8,943.76

Dept./Div. 47-02| Fund 514| Subfund: 003| Project Number: 510041-100000 (Carryover)| Project Name: Whittier Peninsula| OCA Code: 471111| Amount: \$133,944.42

Dept./Div. 47-02| Fund 514| Subfund: 002| Project Number: 470049-100000| Project Name: Human Resources Info System| OCA Code: 514049| Amount: \$312,235.52

Dept./Div. 47-02| Fund 514| Subfund: 003| Project Number: 470030-100000(Carryover)| Project Name: Operations System Upgrade| OCA Code: 514030| Amount: \$81,330.00

TO:

Dept./Div. 47-02| Fund 514| Subfund: 003| Project Number: 470030-100001(Carryover)| Project Name: Server Virtualization| OCA Code: 514130| Amount: \$47,032.86

Dept./Div. 47-02| Fund 514| Subfund: 002| Project Number: 470037-100000(Carryover)| Project Name: Disaster Recovery| OCA Code: 470037| Amount: \$312,235.52

Dept./Div. 47-02| Fund 514| Subfund: 003| Project Number: 470047-100003(Carryover)| Project Name: Asset Management| OCA Code: 514347| Amount: \$177,185.32

SECTION 4: That the expenditure of \$1,795,160.61 or so much thereof as may be necessary is hereby authorized to be expended from:

Dept./Div. 47-02| Fund 514| Subfund: 003| Project Number: 470030-100001(Carryover)| Project Name: Server Virtualization| OCA Code: 514130| Amount: \$179,309.33

Dept./Div. 47-02| Fund 514| Subfund: 002| Project Number: 470037-100000(Carryover)| Project Name: Disaster Recovery| OCA Code: 470037| Amount: \$670,486.42

Dept./Div. 47-02| Fund 514| Subfund: 003| Project Number: 470047-100000(Carryover)| Project Name: Enterprise System Upgrade| OCA Code: 514147| Amount: \$471,926.62

Dept./Div. 47-02| Fund 514| Subfund: 003| Project Number: 470047-100003(Carryover)| Project Name: Asset Management| OCA Code: 514347| Amount: \$399,468.24

Dept./Div. 47-02| Fund 514| Subfund: 001| OCA Code: 470202|Obj. Level 1: 03|Obj. Level 3: 3358|Amount: \$18,970.00|

Dept./Div. 47-02| Fund 514| Subfund: 001| OCA Code: 472417|Obj. Level 1: 03|Obj. Level 3: 6655|Amount: \$55,000.00|

***See Attachment B: Purchase Summary for Ord. # 1585-2010 Funding Sources**

SECTION 5: That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 6: That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1592-2010

Drafting Date: 10/28/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:** This legislation authorizes the Director of Finance and Management to enter into a contract with IRST for the purchase of a SPCC Barrier Boom System for the Department of Public Utilities, Division of Power and Water (Power) that will be installed in trenches to catch oil that may leak from transformers and mitigate the chances of the oil getting into the grou

Title

To authorize the Director of Finance and Management to enter into a contract with IRST for the purchase of a SPCC Barrier Boom System for the Department of Public Utilities, Division of Power and Water (Power) and to authorize the expenditure of \$60,144.00 from the Electric Build America Bonds Fund. (\$60,144.00)

Body

WHEREAS, a SPCC Barrier Boom System is needed by the Department of Public Utilities, Division of Power and Water (Power) to be installed in trenches to trap oil from leaking into the transformer yard; and

WHEREAS, the Purchasing Office opened formal bids on September 2, 2010 for the purchase of a SPCC Barrier Boom System; and

WHEREAS, the Division of Power and Water (Power) recommends an award to be made to the lowest, responsive and responsible bidder, IRST; and

WHEREAS, a contract will be issued by the Purchasing Office in accordance with the terms, conditions and specifications of Solicitation Number SA003677 on file in the Purchasing office; and

WHEREAS, it is necessary to authorize the expenditure of funds from the Electric Build America Bonds Fund for a SPCC Barrier Boom System; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Finance and Management be and is hereby authorized to establish a contract with IRST for the purchase of a SPCC Barrier Boom System in accordance with specifications on file in the Purchasing Office.

SECTION 2. That the expenditure of \$60,144.00, or so much thereof as may be needed, be and the same hereby is authorized from the Electric Build America Bonds Fund, Fund No. 559, Division No. 60-07, Project 670608-100000, OCA 559608, Object Level One 06, Object Level Three 6621.

SECTION 3. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 4. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1596-2010

Drafting Date: 10/29/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: Canine "Lucas", an Arson dog, was purchased by the Division of Fire in November 2005. "Lucas" is now retired from active service and is now living with his handler, Firefighter Jeff Smith.

It is recommended that "Lucas" be donated to Firefighter Jeff Smith, who will continue to provide a good home to this canine that has served the citizens of Columbus since 2005. Firefighter Jeff Smith has signed a general release document that relinquishes the City of Columbus from any liability as it relates to the post retirement care and control of Arson canine "Lucas", and assigns that liability to Firefighter Smith.

FISCAL IMPACT: There is no fiscal impact upon the Fire Division.

Title

To authorize and direct the Finance and Management Director to sell to Firefighter Jeff Smith for the sum of \$1.00 an Arson canine with the registered name "Lucas", which has no further value to the Division of Fire, and to waive the provisions of the Columbus City Codes - Sale of City-Owned Personal Property. (\$1.00)

Body

WHEREAS, canine "Lucas", a now retired Arson dog with the Division of Fire since 2005, is authorized to be sold to handler Firefighter Jeff Smith; and

WHEREAS, it is in the best interest of the City that City Code 329.26 Sale of City-Owned Personal Property be waived; and

WHEREAS, the City should allow this canine to be purchased by Firefighter Jeff Smith for the sum of \$1.00; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to sell an Arson canine with the registered name of "Lucas" to Firefighter Jeff Smith.

SECTION 2. That the Council of the City of Columbus finds it is in the best interest of the City that City Code 329.26 Sale of City-Owned Personal Property be and is hereby waived to permit the sale of this specific Arson dog to Firefighter Jeff Smith for the sum of \$1.00.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1599-2010

Drafting Date: 10/29/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. BACKGROUND: This Ordinance authorizes the Director of Public Utilities to modify and increase the General Engineering Services agreement with CH2M Hill Inc. for the Division of Power and Water, Contract No. 1091. Under this contract, the City procures professional engineering services on an as-needed basis. The original contract reserved the City the right to extend the contract for fiscal years 2008 through 2010.

The Division is requesting modification #3 to the contract to fulfill its planned needs in 2011. The work to be utilized under this modification will be to continue the tasks that have already been initiated but not yet completed and for future tasks to be authorized within the contract. The following is a list of proposed new tasks for 2011:

1. Engineering Services During Construction for two new low service pumps to replace the existing DRWP LSPs-2 & 5.
2. Engineering Services During Construction for Water Supply Facilities Elevator Replacement project.
3. Completion of design and Engineering Services During Construction for two new low service pumps to replace the existing DRWP LSPs-3 & 4.
4. Other projects as deemed necessary that arise during the contracting period.

1.1 Amount of additional funds to be expended: \$500,000.00

Original Contract Amount:	\$200,000.00
Modification 1	\$300,000.00
Modification 2	\$500,000.00
<u>Modification 3 (current)</u>	<u>\$500,000.00</u>
Total (Orig. + Mods 1 - 3)	\$1,500,000.00

1.2. Reasons additional goods/services could not be foreseen:

This was a planned modification as indicated in the original authorizing legislation, #1845-2006.

1.3. Reason other procurement processes are not used:

The work was bid out and planned for a total of 4 annual contracts. This is the third modification for the final year of the annual contracts.

1.4. How cost of modification was determined:

In Schedule A of the original contract the hourly labor rates were delineated for the years 2007-2009. Revised labor rates have been submitted by the consultant team and approved by the City for 2011. The cost of the modification was determined from the increased labor rates for 2011 and the estimated general engineering services needed to augment existing engineering personnel to fulfill the planned tasks of the Water Supply Group for 2011. This information was reviewed and approved by the Project Manager for the City Division of Power and Water.

2. CONTRACT COMPLIANCE INFO: 59-0918189, expires 5/11/12, Majority

3. FISCAL IMPACT: A transfer of funds within the Water Build America Bonds Fund will be necessary, as well as an amendment to the 2010 Capital Improvements Budget.

Title

To authorize the Director of Public Utilities to modify and increase the General Engineering Services agreement with CH2M Hill Inc.; for the Division of Power and Water; to authorize a transfer of funds and an expenditure of \$500,000.00 from the Water Build America Bonds Fund; and to authorize an amendment to the 2010 Capital Improvements Budget. (\$500,000.00)

WHEREAS, Contract No. EL006697 was authorized by Ordinance No. 1845-2006, passed November 20, 2006, was executed December 27, 2006, and approved by the City Attorney on January 2, 2007; and

WHEREAS, Modification No. 1 EL007504 was authorized by Ordinance No. 1481-2007, passed October 22, 2007, was executed on December 27, 2006, and was approved by the City Attorney on January 2, 2007; and

WHEREAS, Modification No. 2 EL009037 was authorized by Ordinance No. 1763-2008, passed December 1, 2008, was executed on January 13, 2009, and was approved by the City Attorney on January 22, 2009; and

WHEREAS, the Division of Power and Water would like to modify and increase the General Engineering Services agreement with CH2M Hill Inc.; for the Division of Power and Water a third time in order to perform services needed during 2011; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer and expend funds within the Water Build America Bonds Fund; and

WHEREAS, it is necessary to authorize an amendment to the 2010 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to modify and increase the General Engineering Services agreement with CH2M Hill, Inc., for the preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities is hereby authorized and directed to modify and increase the General Engineering Services agreement with CH2M Hill Inc., for the Division of Power and Water, in the amount of \$500,000.00.

SECTION 2. That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

SECTION 3. That the City Auditor is hereby authorized to transfer \$397,647.00 within the Department of Public Utilities, Division of Power and Water, Water Build America Bonds Fund, Fund No. 609, Dept./Div. No. 60-09, Object Level Three 6686, as follows:

Fund No. | Project No. | Project Name | OCA Code | Change

609 | 690424-100000 (carryover) | Lazelle Rd. Storage Tank | 609424 | -\$397,647.00
609 | 690446-100000 (carryover) | Gen'l Eng. Svcs. - Supply | 609446 | +\$397,647.00

SECTION 4. That the 2010 Capital Improvements Budget is hereby amended as follows:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change

609 | 690424-100000 (carryover) | Lazelle Rd. Storage Tank | \$2,805,742 | \$2,408,095 | -\$397,647
609 | 690446-100000 (carryover) | Gen'l Eng. Svcs. - Supply | \$103,535 | \$500,000 | +\$397,647

SECTION 5. That the expenditure of \$500,000.00 is hereby authorized for the General Engineering Services agreement within the Water Build America Bounds Fund, Fund No. 609, Division 60-09, Project No. 690446-100000 (carryover), Object Level Three 6686, OCA Code 609446.

SECTION 6. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 9. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1614-2010

Drafting Date: 11/02/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This Ordinance authorizes the Director of Public Utilities to modify and increase the General Engineering Services agreement with URS Corporation - Ohio for the Division of Power and Water, Contract No. 1104. This agreement established a "blanket" type of service contract to augment existing engineering personnel within the Water Distribution Group on an as-authorized, as needed basis. Work items consist of field investigations, surveying, and other professional design services as necessary for the completion of a design report, plans and specifications, GIS and other engineering services during construction as it relates to various water distribution and facility projects.

Ordinance No. 1440-2008 authorized the City the right to renew the contract for an additional year. Although the original agreement was established in 2008, the funding originally established has been utilized very fiscally and the Division of Power and Water now has a need to invoke the specification language to extend the contract for one (1) additional year. The Division of Power and Water wishes to increase Contract No. EL008829 in the amount of \$200,000.00 for continued General Engineering Services.

1.1 Amount of additional funds to be expended: \$200,000.00

Original Contract Amount:	\$200,000.00
Modification 1 (current)	<u>\$200,000.00</u>
Total (Orig. + Mod #1)	\$400,000.00

1.2. Reasons additional goods/services could not be foreseen:

This was a planned modification as indicated in the original authorizing legislation, #1440-2008.

1.3. Reason other procurement processes are not used:

A modification to this contract was anticipated as part of the original legislation.

1.4. How cost of modification was determined:

The original contract was set up for \$200,000.00 of General Engineering Services to be used on an "as-needed" basis. The original contract was anticipated to be modified one time for an additional \$200,000.00 of said same services. This is the modification of the original contract.

2. CONTRACT COMPLIANCE INFO: 34-0939859, expires 8/28/11, Majority

3. FISCAL IMPACT: There are sufficient funds within the Water Build America Bonds Fund for this expenditure.

Title

To authorize the Director of Public Utilities to modify and increase the General Engineering Services agreement with URS Corporation - Ohio; for the Division of Power and Water; and to authorize an expenditure of \$200,000.00 within the Water Build America Bonds Fund. (\$200,000.00)

Body

WHEREAS, Contract No. EL008829 was authorized by Ordinance No. 1440-2008, passed October 20, 2008, was executed November 6, 2008, and approved by the City Attorney on November 11, 2008; and

WHEREAS, Ordinance No. 1440-2008 authorized the City the right to renew the contract for an additional year; and

WHEREAS, the Division of Power and Water would like to modify and increase the General Engineering Services agreement with URS Corporation - Ohio; for the Division of Power in order to perform services needed during 2011; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to modify and increase the General Engineering Services agreement with URS Corporation - Ohio., for the preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities is hereby authorized and directed to modify and increase the General Engineering Services agreement with URS Corporation - Ohio, for the Division of Power and Water, in the amount of \$200,000.00.

SECTION 2. That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

SECTION 3. That the expenditure of \$200,000.00 is hereby authorized for the General Engineering Services agreement within the Water Build America Bounds Fund, Fund No. 609, Division 60-09, Project No. 690236-100025 (carryover), Object Level Three 6686, OCA Code 623625.

SECTION 4. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 5. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 7. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1623-2010

Drafting Date: 11/03/2010

Version: 2

Current Status: Passed

Matter Type: Ordinance

Explanation

Rezoning Application # Z07-055

APPLICANT: The Kroger Co.; c/o Christopher A. Rinehart, Atty.; Rinehart & Rishel, Ltd.; 300 East Broad Street, Suite 190; Columbus, OH 43215.

PROPOSED USE: Fuel sales and convenience retail.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on September 9, 2010.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 0.84± site is comprised of a fuel sales facility zoned C-3, Commercial District; a vacant parcel zoned L-C-4, Limited Commercial District; and vacated Grace Street

right-of-way. The requested the CPD, Commercial Planned Development District will allow the construction of a new fuel sales facility and convenience store which will accommodate a setback variance for the fuel canopy. The site is located within the planning area of the *Greater Hilltop Plan Amendment* (2010), which was recently approved by City Council. The amendment recommends community mixed uses for this site in addition to the application of the Regional Commercial Overlay (RCO). The CPD text and plan commit to canopy location, site access, compliance with C-5 development standards, and RCO standards for landscaping and ground signage. The request is consistent with the zoning and development patterns of the area, and the land use recommendations of the *Greater Hilltop Plan Amendment*.

Title

To rezone **85 NORTH WILSON ROAD (43204)**, being 0.84± acres located on the west side of North Wilson Road, 172± feet north of Alberta Street, **From:** C-3, Commercial and L-C-4, Limited Commercial Districts, **To:** CPD, Commercial Planned Development District **and to declare an emergency** (Rezoning # Z07-055).

Body

WHEREAS, application #Z07-055 is on file with the Department of Building and Zoning Services requesting rezoning of 0.84± acres from C-3, Commercial and L-C-4, Limited Commercial Districts to CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Greater Hilltop Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District that will allow the construction of a new fuel sales facility and convenience store is consistent with the zoning and development patterns of the area, and the land use recommendations of the *Greater Hilltop Plan Amendment*; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

85 NORTH WILSON ROAD (43204), being 0.84± acres located on the west side of North Wilson Road, 172± feet north of Alberta Street, and being more particularly described as follows:

PARCEL 1:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being all of Lots Numbered 46 and 47 of BROAD WILSON SUBDIVISION, as the plat of the same is shown of record in Plat Book 10, pages 144 and 145, Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at an iron pin where the southerly right-of-way line of Grace Street intersects the westerly right-of-way line of Wilson Road, being also the northeasterly corner of Lot Number 47 of the said Broad Wilson Subdivision;

Thence along the westerly right-of-way line of the said Wilson Road, or the easterly line of the said Lot Number 47, South 15 deg. 51'30" West, 166.33 feet to an iron pin at the southeasterly corner of the said Lot Number 47, or the northeasterly corner of Lot Number 23 of the said subdivision;

Thence along the southerly lines of Lots 46 and 47, or the northerly line of Lot Number 23 of the said subdivision, West 84.95 feet to an iron pin at the southwesterly corner of said Lot Number 46 or the southeasterly corner of Lot Number 45;

Thence along the easterly line of the said Lot Number 45 or the westerly line of the said Lot Number 46, North 00 deg. 04' West, 160.0 feet to an iron pin at the northwesterly corner of the said Lot Number 46, and being also in the southerly right-of-way line of the said Grace Street;

Thence along the northerly line of the said Lots Numbered 46 and 47 and being also in the southerly right-of-way line of said Grace Street, East 130.68 feet to the place of beginning;

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PREMISES:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being in the Virginia Military Survey No. 3315, and being more particularly bounded and described as follows:

Beginning at the southeast corner of Lot 47 and northeast corner of Lot Number 23 of the BROAD WILSON SUBDIVISION, Franklin County Recorder's Office, said point being 25.00 feet left of Station 6 + 39.35 in the centerline of Wilson Road;

Thence along the Grantor's southerly property line and the south line of Lot 47, South 86 deg 29'45" West, a distance of 10.40 feet to a point 35.00 feet left of Station 6 + 36.49;

Thence along the right-of-way line, North 13 deg. 35' 09" East, a distance of 153.54 feet to a point 32.00 feet left of Station 7 + 90.00;

Thence continuing along the right-of-way line, North 51 deg. 07' West, a distance of 19.96 feet to a point in the Grantor's northerly property line and the north line of Lot 47, said point being 60.00 feet left of Station 7 + 89.62;

Thence along the Grantor's northerly line and the north line of Lot 47, North 86 deg. 29' 45" East, a distance of 25.00 feet to the Grantor's northeast property corner, said point being 25.00 feet left of Station 8 + 05.77;

Thence along the Grantor's easterly property line and the east line of Lot 47, South 12 deg. 27' 58" West, a distance of 166.42 feet to the point of beginning.

PARCEL 2:

Situated in the State of Ohio, County of Franklin, and the City of Columbus,

Being Lot Number Forty-Five (45), "Broad-Wilson Addition" as the plat of same is shown of record in Plat Book 10, pages 144 and 145, Recorder's Office, Franklin, County, Ohio.

VACATED RIGHT-OF-WAY:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Virginia Military Survey No. 3315 and being a 0.216 acre portion of Grace Street, as shown upon the plat entitled Broad-Wilson Addition of record in Plat Book 10, Pages 144 and 145, said portion of Grace Street to be vacated is bounded and described as follows;

Beginning at a 3/4" I.D. iron pipe set in the south right-of-way line of Grace Street (50 feet in width), at the northwest corner of Lot No. 45, and at the northeast corner of Lot No. 44, both as shown upon said plat of Broad-Wilson Addition, said Lot No. 45 having been conveyed to Ahmad Mattan, by deed of record in Instrument 200506090111745 and said Lot 44 being a portion of a 39.531 acre tract of land conveyed to Buffalo-Broad Associates, LLC, by deed of record in Instrument 200105300118580;

thence N 03° 34' 01" W crossing Grace Street and along an east line of said 39.531 acre tract a distance of 50.00 feet to a 3/4" I.D. iron pipe set in the north right-of-way line of Grace Street, at a corner of said 39.531 acre tract and in the south line of Reserve "A", as shown upon said plat of Broad-Wilson Addition;

thence N 86° 25' 59" E along the north right-of-way line of Grace Street, along a portion of the south line of said Reserve "A", along a south line of said 39.531 acre tract and along the south line of a 0.044 acre tract of land conveyed, for N. Wilson Road right-of-way purposes, as Parcel 5-WD to the City of Columbus, by deed of record in Official Record 5856, Page G 08 a distance of 194.97 feet to a P.K. nail set at the southeast corner of said Reserve "A", at the southeast corner of said 0.044 acre tract and at the intersection of the north right-of-way line of Grace Street with the west right-of-way line of N. Wilson Road (variable width);

thence S 12° 19' 19" W along the east end of Grace Street and along the west right-of-way line of N. Wilson Road a distance of 51.99 feet to a P.K. nail set at the northeast corner of Lot No. 47, as shown upon said plat of Broad-Wilson Addition, at the intersection of the south right-of-way line of Grace Street with the west right-of-way line of N. Wilson Road and at the northeast corner of a 0.035 acre tract of land conveyed, for N. Wilson Road right-of-way purposes, as Parcel 4-WD to the City of Columbus, by deed of record in Official Record 6112, Page I 02;

thence S 86° 25' 59" W along the south right-of-way line of Grace Street, along the north line of said Lot No. 47, along the north line of Lot No. 46, as shown upon said plat of Broad-Wilson Addition, and along the north line of said Lot No. 45 a distance of 180.74 feet to the place of beginning, said Lot No. 46 and 47 having been conveyed to Ahmad Mattan, by deed of record in Instrument 200309230304029 (passing a 3/4" I.D. iron pipe set at the northwest corner of said 0.035 acre tract a distance of 25.00 feet);

containing 9,393 square feet (= 0.216 acre) of land, more or less and being subject to all easements and restrictions of record.

To Rezone From: C-3, Commercial and L-C-4, Limited Commercial Districts,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**PROPOSED FUEL CENTER,**" and text titled, "**CPD TEXT,**" both signed by Christopher A. Rinehart, Attorney for the Applicant, dated October 29, 2010, and the text reading as follows:

CPD TEXT

CPD, COMMERCIAL PLANNED DISTRICT

0.836 ACRES +/-

EXISTING DISTRICT: C-3, Community Scale Commercial Development, L-C-4, Regional Scale Commercial District

PROPOSED DISTRICT: CPD, Commercial Planned District

PROPERTY ADDRESS: 85 North Wilson Road (43204)

PROPERTY OWNER: Ahmad Mazen Mattan; 2468 Woodstock Road; Columbus, Ohio 43221

APPLICANT: The Kroger Co.; 4111 Executive Parkway; Westerville, Ohio 43081; c/o: Christopher A. Rinehart, Esq.; Rinehart & Rishel, Ltd.; 300 East Broad Street, Suite 190; Columbus, Ohio 43215

DATE OF TEXT: October 29, 2010

APPLICATION NUMBER: Z07-055

INTRODUCTION:

The subject property consists of two (2) parcels and a portion of Grace Street right-of-way totaling 0.836 +/- acres located at 85 North Wilson Road and is adjacent to the Consumer Square West shopping center ("Site"). The Site is currently occupied by a Clark gas station and is zoned C-3, Community Scale Commercial Development, and L-C-4, Regional Scale Commercial District. Applicant proposes to rezone the Site to CPD, Commercial Planned District, for the purpose of constructing a fuel station.

1. PERMITTED USES:

A. Chapter 3356 (C-4), Regional Scale Commercial District

1. Unless otherwise indicated herein, the permitted uses in, on or upon the Site shall be those allowed in Chapter 3356 (C-4), of the Columbus City Code.

B. Chapter 3357 (C-5), Highway Oriented Commercial Development

1. Unless otherwise indicated herein, the permitted uses in, on or upon the Site shall include an automobile service station as permitted by Chapter 3357 of the Columbus City Code.

2. DEVELOPMENT STANDARDS: Unless otherwise stated herein, the applicable development standards shall be as specified in Chapter 3356 and, to the extent such standards relate to filling stations, those specified in Chapter 3357.

A. Density, Lot, and/or Setback Commitments

1. Building Setbacks: The minimum building setback from Wilson Road shall be as shown on the attached Site Plan.
2. Parking Setbacks: The minimum parking, loading and maneuvering setback shall be as shown on the attached Site Plan.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments

1. Any and all traffic-related commitments shall be designated and located to the specifications of the City of Columbus Planning and Operations Division.
2. Curb cuts shall be approved by the City of Columbus Planning and Operations Division. Access to and from the Site is proposed to be provided from two access points located along Wilson Road.

C. Buffering, Landscaping, Open Space and/or Screening Commitments

1. All landscaping as shown on the attached Site Plan shall be maintained in a healthy condition, and dead material shall be replaced with new landscaping within six (6) months or the next planting season, whichever comes first.

D. Building Design and/or Interior-Exterior Treatment Commitments

1. All roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design,

colors and materials used in screening shall be architecturally compatible with the rooftop and the aesthetic character of the building.

E. Lighting, Outdoor Display Areas, and/or Other Environmental commitments - N/A

F. Graphic and Signage Requirements

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33, of the Columbus City Code as it applies to those uses designated as C-4, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments

1. The site shall be developed in general conformance with the attached Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering plans are completed. Any slight adjustment to the Site Plan is subject to review and approval by the Director of the Department of Building and Zoning Services or his designee, upon submission of the appropriate data regarding the proposed adjustment.

2. Variance(s) to Section(s):

A. 3357.04 Service Station Site Standards

The applicant seeks a variance to the above-referenced section to permit the canopy of the fuel station to be developed as shown on the attached Site Plan.

H. CPD Criteria

1. Natural Environment

The Site is located adjacent to the Consumer Square West shopping center.

2. Existing Land Use

Commercial uses are located to the north, east, and west of the Site. The property to the south is zoned for apartment/residential use.

The property is currently zoned C-3, Community Scale Commercial Development, and L-C-4, Regional Scale Commercial District. The rezoning permits commercial use of the Site pursuant to existing C-4 standards as well as a limited C-5 use for an automobile service station and ancillary parking.

3. Transportation and Circulation

There will be direct vehicular access to the Site from Wilson Road.

4. Visual Form of the Environment

As described in this text, the Site will be developed to complement the existing area.

5. View and Visibility

The Site is clearly visible from Wilson Road and the Consumer Square West Shopping Center.

Consideration has been given to visibility and safety issues. This text and the attached site plan are a direct result of the same. Well-defined access will be provided to the Site.

6. Proposed Development

The proposed development is compatible and complementary to existing surrounding commercial uses. Significant commercial development has already occurred adjacent to the Site and the proposed development is complementary to such development.

7. Behavior Patterns

As indicated and set forth on the site plan, access to the Site will be facilitated from Wilson Road. The proposed development is not expected to significantly alter existing traffic behavior patterns.

8. Emissions

No adverse emissions are expected from this development.

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.~~

Legislation Number: 1632-2010

Drafting Date: 11/05/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The contract between the City and FOP/Capital City Lodge #9 expired December 8, 2008. Pursuant to ordinance 0207-2010, the City engaged the law firm of Baker and Hostetler LLP to provide ongoing assistance in the negotiation and implementation of a successor collective bargaining agreement.

Although the parties reached agreement on a successor contract through the fact finding process, issues remain regarding the implementation of specific provisions of that agreement. The City anticipates the ongoing utilization of the services of Baker and Hostetler LLP for mid term bargaining, as necessary, and for other matters related to the implementation of said agreement.

This will be the second contract modification to the contract with Baker and Hostetler LLP. The original contract was approved by City Council on February 8, 2010 through legislation 0207-2010 and executed by the City February 24, 2010. That contract was for \$100,000.00. The first contract modification for this contract was approved by City Council on May 18, 2010 through ordinance 0636-2010. That modification was for \$300,000.00.

This legislation authorizes a transfer within the general fund of \$45,000.00 from the Department of Public Safety to the Department of Human Resources. This transfer is necessary to fund this amendment of the contract.

This legislation will authorize the Director of Human Resources to amend the existing contract with the law firm of Baker and Hostetler LLP and will further authorize the expenditure of \$45,000.00 or so much thereof as may be necessary to compensate the contractor for services rendered in the resolution of the contract implementation questions at issue.

The competitive bid process would exacerbate an already protracted process and would not be conducive to an expeditious resolution of the issues. Therefore, competitive bidding requirements are being waived in favor of an amendment of the existing contract.

Title

To authorize the Director of the Department of Human Resources to amend the existing contract with the law firm of Baker & Hostetler LLP for the purpose of providing ongoing assistance in the implementation of the collective bargaining agreement with FOP/Capital City Lodge #9, to authorize the transfer of \$45,000.00 from the Department of Public Safety to the Department of Human Resources, to authorize the expenditure of \$45,000 or so much thereof as may be necessary to compensate the contractor for services rendered; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency (\$45,000.00)

Body

WHEREAS, a dispute has arisen regarding the interpretation of specific provisions of the collective bargaining agreement between the City of Columbus and FOP, Capital City Lodge #9; and

WHEREAS, the dispute must be resolved through the contractual grievance arbitration and other related dispute resolution processes; and

WHEREAS, the law firm of Baker & Hostetler has contracted with the City of Columbus Department of Human Resources to provide ongoing assistance related to the negotiation and implementation of the existing collective bargaining agreement with FOP, Capital City Lodge #9; and

WHEREAS, additional monies under said contract will be required to ensure resolution of the matter in dispute; and

WHEREAS, a transfer of monies within the general fund is needed to fund the contract amendment; and

WHEREAS, it is in the mutual best interest of the City and the FOP to resolve this matter as expeditiously as possible therefore requiring the waiver of the competitive bidding provisions set forth in the Columbus City Codes; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into contract with Baker & Hostetler in order to resolve the contract implementation issues in question as soon as possible thereby collective bargaining negotiations as soon as possible, thereby preserving the public health, peace property, safety and welfare; Now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Department of Human Resources is hereby authorized to amend the existing contract with Baker & Hostetler for the purpose of providing ongoing assistance in the implementation of the collective bargaining agreement with FOP/Capital City Lodge #9.

SECTION 2. That the City Auditor is hereby authorized and directed to transfer \$45,000.00 as follows:

From Department: 30 | Division: 30-01 | Fund: 10 | OCA: 300111 | OL3: 3336

To Department: 46 | Division: 46-01 | Fund: 10 | OCA: 460188 | OL3: 3324

SECTION 3. That the expenditure of \$45,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the general fund as follows:

Department: 46 | Division: 46-01 | Fund: 10 | OCA: 460188 | OL3: 3324

SECTION 4. That the provisions of Chapter 329 of the Columbus City Codes are hereby waived.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves or vetoes the same.

Legislation Number: 1638-2010

Drafting Date: 11/08/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: This ordinance authorizes the Director of Public Safety to enter into contract with Security Risk Management Consultants, Inc., (SRMC) for continued consulting and related services for the assessment, design and implementation of the Fire Division's security card access control system. SRMC will continue to provide active participation from the beginning to the end of this project, including attending pre-bid meetings with the security contractors, evaluating the security contractors proposals and recommending the award thereof, as well as providing project management throughout the implementation and installation process.

The Division of Fire is currently using an outdated security card access control system at the Parsons Avenue Administration and Training facilities. Also, the Fire Division has no security card access systems at any of the fire stations. Contracting with SRMC will provide the Fire Division with an abundance of resources and expertise, which will ultimately lead to the improved security at the Administration and Training facilities.

SRMC completed the majority of the original Fire facilities assessment in 2008. This ordinance will allow the assessment to continue.

Bid Information: Formal bidding provisions of the Columbus City Code Chapter 329.06 is recommended to be waived in order to enter into this contract with Security Risk Management Consultants, Inc., for their continued work on this project; they completed approximately 80% of Fire's assessment thus far.

Emergency action is requested so that the analysis of the existing site can continue immediately, and the existing outdated system can be replaced as quickly as possible.

Contract Compliance: Security Risk Management Consultants, Inc. (SRMC) ~ #311281111 ~ exp. 02/16/2012

Fiscal Impact/Budgeted Amount: This ordinance authorizes the expenditure of \$25,010.00 from Fire's Gov'l B.A.B (Build America Bonds) for continued consulting services with Security Risk Management Consultants in accordance with a Universal Term Contract established for this purpose. Funds are available in Fire 2010 Capital Improvement Budget for this contract.

Title

To authorize and direct the Director of Public Safety to enter into a contract with Security Risk Management Consultants, Inc. (SRMC) for continued consulting services for the Fire Division's security card access system; to waive the competitive bidding provisions of the Columbus City Codes; to authorize the expenditure of \$25,010.00 from the Gov'l B.A.B (Build America Bonds); and to declare an emergency. (\$25,010.00)

Body

WHEREAS, the Department of Public Safety, on behalf of the Division of Fire, plans to enter into a contract with Security Risk Management Consultants, Inc. (SRMC) for continued consulting and related services associated with the Division's security card access systems; and

WHEREAS, the Department is requesting a waiver of the provisions of Section 329.06 of the Columbus City Code; and

WHEREAS, an emergency exists in the usual daily operation of the Public Safety Department, Division of Fire in that it is immediately necessary to enter into said contract with Security Risk Management Consultants, Inc. so that consulting and related services associated with the assessments can continue in order to improve security at Fire Division facilities for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Safety be and he is hereby authorized and directed to enter into contract with Security Risk Management Consultants, Inc. for consulting and related services for the assessment, design and equipment specification and implementation associated with the Fire Division's security card access system.

SECTION 2. That this Council finds it in the best interest of the City of Columbus to waive the requirements of competitive bidding, and does hereby waive the provisions of Section 329.06 of the Columbus City Codes.

SECTION 3. That the expenditure of \$25,010.00, or so much thereof as may be necessary, be and is hereby authorized from the Gov'l B.A.B (Build America Bonds) Fund 746; OCA 710103; Project 340103-100000; OL3 Code 6620, to pay the cost thereof.

SECTION 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1642-2010

Drafting Date: 11/08/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Public Utilities to pay the State of Ohio, Ohio Environmental Protection Agency (OEPA) Annual Discharge Fees for the Jackson Pike and Southerly Wastewater Treatment Plants for fiscal year 2010.

House Bill 152 became law in July 1993. This law created a series of fees which provides financial support of the Ohio Environmental Protection Agency. Included in these fees is an annual Wastewater Treatment Plant Discharge Fees that need to be paid by holders of NPDES permits.

The Division of Sewerage and Drainage holds two such permits, Jackson Pike Permit Number 4PF00000, Southerly Permit Number 4PF00001. The Jackson Pike Wastewater Treatment Plant has discharge fees totaling \$41,400.00 and the Southerly Wastewater Treatment Plant has discharge fees totaling \$41,400.00, payment is due on January 31, 2011. A ten percent (10%) penalty is accessed if payment is not received on or before January 31, 2011 by the Ohio EPA.

The fees for calendar year 2010 are based upon the average volume of wastewater discharged by each facility during the previous year (2009) between May 1 and October 31. During this period, the Jackson Pike Wastewater Treatment Plant averaged 51.2 MGD and the Southerly Wastewater Treatment Plant averaged 98.9 MGD.

SUPPLIER: State of Ohio, Ohio Environmental Protection Agency (31-6402047-090) Governmental Entity

FISCAL IMPACT: \$82,800.00 is needed and budgeted to pay these fees.

\$82,800.00 was paid in 2009
\$82,800.00 was paid in 2008
\$82,800.00 was paid in 2007
\$82,800.00 was paid in 2006

Title

To authorize the Director of Public Utilities to pay the annual Discharge Fees for Fiscal Year 2010 to the State of Ohio, Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewerage System Operating Fund. (\$82,800.00)

Body

WHEREAS, House Bill 152 became law in July 1993 and created a series of fees which provide financial support to the State of Ohio, Ohio Environmental Protection Agency; and,

WHEREAS, included in these fees is an annual Wastewater Treatment Plant Discharger Fees to be paid by holders of NPDES permits; and,

WHEREAS, the Division of Sewerage and Drainage holds such permits for the Jackson Pike and Southerly Wastewater Treatment Plants; and,

WHEREAS, the fees for calendar year 2010 are based upon the average volume of wastewater discharged by each facility during the previous year (2009) between May 1 and October 31. During this period, the Jackson Pike Wastewater Treatment Plant averaged 51.2 MGD and the Southerly Wastewater Treatment Plant averaged 98.9 MGD, and

WHEREAS, these fees were first paid in January 1994, and have been paid each year thereafter, and have been budgeted for the 2010 payments; and,

WHEREAS, payment is due on or before January 31, 2011 to prevent a ten percent (10%) penalty; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be and is hereby authorized to pay the Ohio Environmental Protection Agency through the Treasurer, State of Ohio, for annual Discharger Fees for 2010 upon receipt of proper invoices.

Section 2. That the expenditure of \$82,800.00, or so much thereof as may be needed, is hereby authorized from the Sewerage System Operating Fund 650, as follows:

Jackson Pike Wastewater Treatment Plant

OCA 605014
Object Level One 03
Object Level Three 3401
Amount \$41,400.00

Southerly Wastewater Treatment Plant

OCA 605048
Object Level One 03
Object Level Three 3401
Amount \$41,400.00

Total Amount: \$82,800.00

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1643-2010

Drafting Date: 11/08/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the payment of \$6,258.20 for vacation time and benefits which have accumulated in excess of the maximum amount established by the salary ordinance for Fire Division personnel Firefighter William M. Guerard, Lieutenant Gary L. Knapp, and Firefighter Tommie D. Page. The collective bargaining contract between the City and the Columbus Fire Fighters Local 67 IAFF requires that employees who are unable to take their vacation time due to injury leave shall be paid for any vacation balances in excess of the maximums. The referenced employees have been unable to take some vacation time due to injury leave.

FISCAL IMPACT: Funds are available in the 2010 Division of Fire operating budget for these payments. The Division spent \$8,815.70 in 2009 and \$13,388.23 in 2008 for such payments.

TitleTo authorize the payment of \$6,258.20 for vacation time and benefits which have accumulated in excess of the maximum amount established by salary ordinance for Fire Division personnel. (\$6,258.20)

Body**WHEREAS,** the above Fire Division personnel have requested payment for vacation that was unable to be taken due to unusual circumstances, and

WHEREAS, their vacation leave balances have accumulated in excess of the amount established by the bargaining contract with the I.A.F.F. Local 67, and

WHEREAS, a situation exists in the usual daily operation of the Division of Fire, Department of Public Safety, in that monetary provision for vacation time due said personnel should be made for the reasons above; Now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That this Council determines that it is in the best interest of the City of Columbus to authorize the payment to Firefighter William M. Guerard, Lieutenant Gary L. Knapp, and Firefighter Tommie D. Page the appropriate amounts due for accrued vacation time that was not taken by no fault of their own, and which otherwise would be forfeited. Such expenditure is hereby authorized as follows: Fund 10; Division 30-04:

OCA	Object Level 3	Amount
301499	1130 Wages	\$6,075.92
301499	1173 Workers Comp	<u>\$ 182.28</u>
TOTAL		\$6,258.20

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1658-2010

Drafting Date: 11/10/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**1. BACKGROUND**

The Division of Planning and Operations is responsible for sweeping along the City's roadway system. To accomplish this mission the Division requires three 3-Wheel Sweepers. These sweepers will replace older units which are beyond their useful service life and will provide for a more reliable fleet to carryout services provided by the Division.

In order to effectively sweep older neighborhoods and the City's downtown the Division requires a sweeper that is capable

of making extremely tight turns. Additionally, the Division requires a sweeper capable of unloading its sweepings directly into the bed of a dump truck. The sole sweeper capable of performing both the operations above is the 3-wheel Elgin Pelican sweeper offered exclusively in Ohio by Jack Doheny Supplies Ohio, Inc.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Jack Doheny Supplies Ohio, Inc.

The price for the sweepers was negotiated with Jack Doheny Supplies Ohio, Inc. The price for a single unit is \$163,601.16 and it is 1% less than the price available off of the state contract STS235Y.

2. SOLE SOURCE

Conversations were held with representatives of the American Public Works Association and the North American Power Sweeping Association verifying Elgin Sweepers is the sole manufacturer of a three-wheel, forward high dump, street sweeper. Due to this, this ordinance is being submitted in accordance with the provisions of Sole Source procurement of the Columbus City Code Section 329.07.

3. CONTRACT COMPLIANCE INFORMATION

Jack Doheny Supplies Ohio, Inc., contract compliance number is 38-3148955 and expires 08/17/12.

4. FISCAL IMPACT

Funds are available for this expenditure from the Streets and Highways G.O. Bonds Fund, no. 704. The cost of this purchase is \$490,803.48.

Title To authorize the Finance and Management Director to enter into a contract for the purchase of three (3) 3-Wheel Sweepers from Jack Doheny Supplies Ohio, Inc. according to provisions of Sole Source procurement of the Columbus City Code Section 329.07; and to authorize the expenditure of \$490,803.48 from the Streets and Highways G.O. Bonds Fund. (\$490,803.48)

Body **WHEREAS**, the Division of Planning and Operations is responsible for street sweeping along the City's roadway system, and

WHEREAS, the Division of Planning and Operations is in need of three (3) 3-Wheel Sweepers, and

WHEREAS, it has been determined after conversations held with representatives of the American Public Works Association and the North American Power Sweeping Association that Jack Doheny Supplies Ohio, Inc., is the sole source supplier for this product, and

WHEREAS, this purchase of this equipment will be in accordance with the provisions of the sole source procurement of the Columbus City Code, Section 329.07; and

WHEREAS, funds are budgeted and available in the Streets and Highways G.O. Bonds Fund, no. 704 for this expense; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance and Management Director is hereby authorized to enter into contract with Jack Doheny Supplies Ohio, Inc., 1860 Summit Commerce Park, Twinsburg, OH 44087, for the purchase of three 3-Wheel Sweepers in accordance with the specifications on file in the Purchasing Office.

SECTION 2. That funding for this legislation is based on a quote dated September 16, 2010 submitted by Jack Doheny Supplies Ohio, Inc, and the quoted price is on file with the Purchasing Office.

SECTION 3. That the sum of \$490,803.48 or so much thereof as may be needed is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, Dept.-Div. 59-11, OCA Code 591246, O.L 01-03 Codes 06-6651, Project Number 530020-100000.

SECTION 4. That this purchase will be made in accordance with the sole source provisions of the Columbus City Code, Section 329.07.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1669-2010

Drafting Date: 11/11/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

The Public Safety Department in cooperation with the City Attorney's Office has applied for a grant from the Franklin County Board of Commissioners. The funds shall be used to retain a Stalking Investigator who will work with the City Attorney's Domestic Violence unit to assist in the investigation of stalking cases, assist victims, and fill the liaison role with municipal police departments sharing information and maintaining data collection on stalking suspects. The Public Safety Department is the implementing agency and the City Attorney's Office will administer the grant.

The grant has been awarded by the Franklin County Board of Commissioners, and this legislation will authorize the Mayor to accept the grant on behalf of the Public Safety Department and will authorize the transfer and appropriation of matching funds required by the grant award. This legislation will further authorize the City Attorney to enter into a contract with J Investigations, Inc. for the services of a Stalking Investigator and to waive the competitive procurement provisions.

Fiscal Impact:

The required matching funds of \$14,667.00 are included in the City Attorney's 2010 General Fund Budget.

Project period: 01/01/11 - 12/31/11

Federal Share: \$44,000.00

Matching funds: \$14,667.00

Total Grant: \$58,667.00

Emergency Designation:

Emergency action is requested to allow the grant activities to commence on January 1, 2011.

Contract Compliance Number:

J Investigations 26-3757766. ACT expires 12/01/2012

Title

To authorize the acceptance of a grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs in the amount of \$44,000.00 for the funding of the Stalking Investigation Program; to authorize the appropriation and expenditure of said funds; to authorize the transfer and appropriation of matching funds required by the acceptance of the grant in the amount of \$14,667.00; to authorize the City Attorney to enter into a contract with J Investigations for the services of a Stalking Investigator; to waive the competitive procurement provision of the Columbus City Codes; and to declare an emergency. (\$58,667.00)

Body

WHEREAS, the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, has awarded the City of Columbus, Department of Public Safety, a grant in the amount of Forty-four Thousand Dollars

(\$44,000.00) for the Stalking Investigative Specialist Grant #2010-WF-VA6-V520 for the year 2011; and

WHEREAS, the acceptance of this grant requires the City to supply matching funds in the amount of Fourteen Thousand Six Hundred Sixty-seven Dollars (\$14,667.00); and

WHEREAS, the City Attorney would like to enter into a contract with J Investigations for the services of a Stalking Investigative Specialist pursuant to said grant award; and

WHEREAS, an emergency exists in the daily operation of the City in that it is necessary to immediately accept and appropriate the grant funds, transfer and appropriate the matching funds, and authorize a contract with J Investigations in order that the services supported may commence on January 1, 2011 and for the preservation of the public health, peace, property, safety and welfare, and, now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO

SECTION 1. That the Mayor be and hereby is authorized to accept the Stalking Investigative Specialist Grant #2010-WF-VA6-V520 in the amount of Forty-four Thousand Dollars (\$44,000.00) from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs.

SECTION 2. That the amount of Fourteen Thousand Six Hundred Sixty-seven Dollars (\$14,667.00) is hereby transferred as follows:

FROM: department 2401, general fund, fund number 010, organizational cost account 240101, object level one 03, object level three 3336.

TO: department 2401, general fund, fund number 010, organizational cost account 240101, object level one 10, object level three 5501.

FROM: department 2401, general fund, fund number 010, organizational cost account 240101, object level one 10, object level three 5501.

TO: department 2401, Stalking Investigative Grant fund, fund number 220, grant number 241020, organizational cost account 241020, object level three 0886.

SECTION 3. That the City Attorney is hereby authorized to enter into a contract with J Investigations to provide assistance in the investigation of stalking cases and other related services as set forth in the contract for the maximum contract amount of Fifty-eight Thousand Six Hundred Sixty-seven Dollars (\$58,667.00).

SECTION 4. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of Fifty-eight Thousand Six Hundred Sixty-seven Dollars (\$58,667.00) is appropriated as follows: department 2401, Stalking Investigative Grant, fund number 220, grant number 241020, organizational cost account 241020, object level three 3336.

SECTION 5. That funds appropriated in the foregoing Section 4 shall be paid upon order of the City Attorney and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. That for good cause shown, the competitive bidding provisions of Chapter 329 of the Columbus City Codes, 1959, are hereby waived.

SECTION 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1674-2010

Drafting Date: 11/12/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation To allow the Greater Columbus Rowing Association (GCRA) to utilize a shared portion (shared with The Ohio State University's Women's Crew and the Columbus Recreation and Parks Department) of the Griggs Boathouse for rowing activities associated with Griggs Reservoir. We have maintained a lease agreement with GCRA prior to 1994 and have since maintained a good working relationship. GCRA has been offering the community memberships within their rowing organization since 1984. This lease agreement will replace the existing lease agreement from 2008.

Title

To authorize the Director of Recreation and Parks to enter into a Lease Agreement with the Greater Columbus Rowing Association in conjunction with its activities located at Griggs Boathouse. (\$1.00)

Body

WHEREAS, the City of Columbus owns certain real property commonly known as Griggs Boathouse, located at 3033 Thoburn Road, Columbus, Ohio; and

WHEREAS, the City of Columbus desires to allow the Greater Columbus Rowing Association to utilize a shared portion of the Griggs Boathouse for rowing activities associated with Griggs Reservoir; and,

WHEREAS, the lease has been drafted and is ready to implement to have the lease in place prior to the opening of the facility scheduled for January 2001; **NOW, THEREFORE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Recreation and Parks be and is hereby authorized to enter into a lease agreement with the Greater Columbus Rowing Association to utilize a shared portion of Griggs Boathouse for rowing activities associated with Griggs Reservoir.

Section 2. That the terms and conditions of the lease shall be approved in form by the City Attorney's office.

Section 3. That the ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1683-2010

Drafting Date: 11/15/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The purpose of this legislation is to authorize the Director of the Columbus Department of Development to enter into an agreement with the Ohio Department of Development to receive and administer a Clean Ohio Revitalization Fund grant of up to \$3 million to clean and redevelop the former 3M site at 1206 N. Fourth St. and to authorize entering into an agreement with the Wagenbrenner Development Company to apply the grant funding toward environmental clean up work at the project site to prepare for redevelopment.

Pursuant to Ordinance 1008-2010, passed by Columbus City Council on July 12, 2010, the Columbus Department of Development applied for, and was awarded, a Clean Ohio grant of \$3 million from the Ohio Department of Development to remediate the former 3M site in partnership with the Wagenbrenner Development Company.

The former 3M site was used for metal finishing operations from 1920 to 2000 when operations closed. It has remained vacant since 2000 and from that time, has been a blighting influence in the Weinland Park Neighborhood of Columbus. The site consists of vacant industrial buildings on 3.4 acres. It was recently acquired by Wagenbrenner Development, Inc. who plans to invest approximately \$24 million to clean the site and construct a mixed use development of approximately 110 residential units with street level commercial space, which is consistent with the Weinland Park Development Plan.

Remediation activities will involve demolition and asbestos removal on site along with removal of various chemical contaminants.

This legislation is submitted as an emergency to commence work under the grant, contingent on Ohio Controlling Board approval.

FISCAL IMPACT: Funding for this legislation is provided by a Clean Ohio Revitalization Fund grant from the Ohio Department of Development in the amount of \$3,000,000.00.

Title

To authorize and direct the Director of the Department of Development to enter into an agreement with the Ohio Department of Development to receive and administer a Clean Ohio Revitalization Fund grant of up to \$3 million for the environmental clean up and redevelopment of the former 3M site at 1206 N. Fourth St.; to authorize the appropriation of \$3 million from the General Government Grant Fund; to authorize the Director of the Columbus Department of Development to enter into an agreement with The Wagenbrenner Development Company to apply said grant funding for environmental clean up and redevelopment of the former 3M site; to authorize the expenditure of \$3 million from the General Government Grant fund; and to declare an emergency. (\$3,000,000.00)

Body

WHEREAS, the City of Columbus contains brownfield properties which may qualify for Clean Ohio clean up and redevelopment grant funding; and

WHEREAS, the Columbus Department of Development has been involved with brownfield redevelopment since 1996 through its administration of the Columbus Brownfield Redevelopment Program and its associated task force; and

WHEREAS, Clean Ohio grant funding is available for environmental clean up and will greatly compliment the efforts of the Columbus Department of Development in helping to clean up and redevelop brownfield properties in Columbus; and

WHEREAS, the Columbus Department of Development identified a brownfield property, which was awarded \$3 million in Clean Ohio grant funds by the Ohio Department of Development, contingent on Ohio Controlling Board approval, at the former 3M site at 1206 N. Fourth St., where environmental clean up is required before redevelopment can occur; and

WHEREAS, the former 3M site owner and developer; the Wagenbrenner Development Company, intends to clean and redevelop the site with residential units and commercial space; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to begin the process to receive grant funding for environmental clean up at the former 3M site without delay, all for the preservation of public health, peace, property, safety and welfare; **Now, Therefore,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Columbus Department of Development is hereby authorized and directed to enter into an agreement with the Ohio Department of Development to receive and administer a Clean Ohio Revitalization Fund

grant in an amount of up to \$3 million for environmental clean up activities at the former 3M site in Columbus.

Section 2. That the sum of up to \$3 million be and is hereby appropriated from the unappropriated balance of the General Government Grant Fund, Fund 220, and from all monies estimated to come into said fund from any and all sources appropriated and un-appropriated for any other purpose during the fiscal year ending December 31, 2010, to the Department of Development, Economic Development Division, Division 44-02, Object Level One 03, Object Level Three 3526, with the OCA and grant codes to be issued by the City Auditor upon award of said grant.

Section 3. That the Director of the Columbus Department of Development is authorized to enter into an agreement with the Wagenbrenner Development Company in an amount of up to \$3 million for environmental clean up work at the former 3M site in Columbus.

Section 4. That for the purpose stated in Section 3., the expenditure of up to \$3 million is hereby authorized from the General Government Grant Fund, Fund 220, Department of Development, Economic Development Division, Division No. 44-02, Object Level One 03, Object Level Three 3526, with the OCA and grant codes to be issued by the City Auditor upon award of said grant.

Section 5. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Legislation Number: 1686-2010

Drafting Date: 11/15/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: In 2007 the City established the Neighborhood Health Center Capital Reserve Fund for the purpose of receiving rental payments from the lease of its neighborhood health centers in order to provide funding to cover the costs related to the repair, replacement, and maintenance of interior and exterior building components and for the replacement of equipment or furnishing that have reached the end of their useful life in the City's neighborhood health centers. This legislation authorizes the Director of Finance and Management Department, Real Estate Management Office and Office of Construction Management to make expenditures for labor, materials, equipment, and services in conjunction with various maintenance and facilities upgrades that are unplanned but will be necessary. Work may include any type of work related to the renovation of City-owned neighborhood health facilities, including design services, electrical, HVAC, flooring, and plumbing, or other FF&E items all of which will be for projects under \$20,000. All work will be done in accordance with the competitive bidding provisions of the Columbus City Codes. Funding for these expenditures is from the Neighborhood Health Center Capital Reserve Fund (Fund 784).

Fiscal Impact: This legislation authorizes the appropriation and expenditure of up to \$80,000.00 from the cash reserves of the Neighborhood Health Center Capital Reserve Fund (Fund 784).

Title

To authorize the appropriation of \$80,000 from the unappropriated balance Neighborhood Health Center Capital Reserve Fund and to authorize the Director of Finance and Management to expend up to \$80,000.00 for various facility repair, upgrades, and renovations for the City's neighborhood health centers. (\$80,000.00)

Body

WHEREAS, the Department of Finance and Management, Real Estate Management Office and Construction Management Office anticipate that various facility renovations, replacements, and upgrades will become necessary for the City's neighborhood health centers; and

WHEREAS, it is necessary to appropriate money from the Neighborhood Health Center Capital Reserve Fund in order to provide for capital various unexpected facility renovations, replacements, and upgrades to City's neighborhood health centers; and

WHEREAS, an Auditor's Certificate is necessary to provide funding for these capital replacement, renovations, and upgrades; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That from the unappropriated monies in the Neighborhood Health Center Capital Reserve Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purposes, the sum of \$80,000.00 is appropriated as follows:

Dept: 45-50
Fund: 784
OCA: 784001
Project: 784001
Total Obj. Level 1: 06: \$60,000.00
Obj. Level 3 code 6620: \$60,000.00

Dept: 45-50
Fund: 784
OCA: 784001
Project: 784001
Total Obj. Level 1: 06: \$20,000.00
Obj. Level 3 Code 3336: \$20,000.00

SECTION 2. That the expenditure of \$80,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Neighborhood Health Center Capital Reserve Fund (Fund 784) to pay the cost of labor, materials, equipment, and professional services that become necessary for various facility renovations, replacements, and repairs for the City's neighborhood health centers. All work will be done in accordance with the competitive bidding provisions of the Columbus City Codes. City Council recognizes this ordinance does not identify the contractor(s) to whom the contract(s) will be awarded and understand its passage will give the Director of Finance and Management the final decision in determination of the lowest best responsive and responsible bidder for such contract(s). This Council is satisfied it is in the best interests of the City to delegate this contracting decision.

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contract or contract modifications associated with this ordinance.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1689-2010

Drafting Date: 11/15/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The City of Columbus ("Columbus") and the City of Dublin ("Dublin") have identified the need for widening and improving Emerald Parkway from Rings Road to Tuttle Crossing Boulevard. 60% of this project is in the City of Columbus. The City of Dublin has been the lead agency during the design phase of this project. Initially a new traffic

signal was to be constructed at the intersection of Lakehurst Court and Emerald Parkway; however, value engineering determined that a roundabout would provide better access at a lower cost than the proposed traffic signal. The value engineering process also determined that by widening the south leg of the intersection of Emerald Parkway and Tuttle Crossing (Britton parkway, name changes south of Tuttle Crossing) by approximately 5 feet, the intersection could be re-aligned which would improve the level of service and operation of the signal. Columbus met with Dublin to discuss these issues and Dublin concurred with the conclusion reached by Columbus. Dublin is also changing their design from a proposed traffic signal at Glendon Court to a roundabout.

The improvements contemplated by this project shall include widening Emerald Parkway to 5 lanes at intersections with 4 lanes and a median between intersections, curb and gutter, sidewalks, shared use paths, roundabout at Lakehurst Court, street lighting, regulatory road signage, pavement markings, storm drainage, utility relocation, and landscaping, all in compliance with the Americans with Disabilities Act (A.D.A.) criteria. The south leg of the intersection of Emerald Parkway (Britton Parkway) at Tuttle Crossing will be widened for approximately 200' south of Tuttle Crossing Blvd to allow for better alignment and improved level of service at this signal.

This project complies with the recommendation of the Pedestrian Thoroughfare Plan by maximizing sidewalk width and lateral separation from traffic within the constraints of the right-of-way limits. Pedestrian generators and destinations affecting the proposed project include Sterling Software and numerous apartment buildings. Pedestrian Quality of Service analyses show a marked improvement in the score by providing passable sidewalks for all users. Environmental "Green" materials or processes associated with this project include the encouragement of pedestrian and bicycle travel with the installation of sidewalks, curb ramps and shared-use path.

After negotiating the fee proposal with American Structurepoint and the City of Dublin, it has been determined that an additional \$60,000 would be necessary to complete the design. The following legislation authorizes the Director of Public Service to modify and increase the reimbursement contract with the City of Dublin to pay the design consultant to alter the plans to include a roundabout.

Ordinance 1366-2009 authorized a reimbursement agreement with the City of Dublin in the amount of \$575,000.00 for design and right of way acquisition for this project.

Ordinance 0351-2010 reduced the amount of this agreement with Dublin by \$300,000.00 so that the City of Columbus could acquire right of way for parcels within Columbus corporate boundaries.

This ordinance modifies the agreement to add \$60,000 in order to perform additional design work.

The amount of this reimbursement agreement including this modification is \$335,000.00

2. FISCAL IMPACT

Funding in the amount of \$60,000.00 is available within the Build America Bonds Fund for the expenditure for this modification.

3. EMERGENCY DESIGNATION

To keep this project on schedule it is necessary authorize these addition funds so the design can be completed and construction can begin in 2011.

Title To authorize the Director of Public Service to modify and increase a reimbursement agreement with The City of Dublin to provide additional funding for the Emerald Parkway project; to amend the 2010 C.I.B; to authorize the transfer of \$60,000.00 within the Build America Bonds Fund; and to declare an emergency. (\$60,000.00)

Body **WHEREAS**, the Department of Public Service currently has a reimbursement agreement with the City of Dublin for the Emerald Parkway project; and

WHEREAS, ordinance 1366-2009, passed 11/9/2009 authorized the Director of Public Service to enter into a reimbursement agreement with the City of Dublin for the purpose of designing and acquiring right of way for the Emerald Parkway project in the amount of \$575,000.00; and

WHEREAS, ordinance 0351-2010 reduced the amount of this agreement in the amount of \$300,000.00 in order to allow the City of Columbus to acquire right of way for parcels within the Columbus corporation limits; and

WHEREAS, additional funding is required to allow the consultant to complete the plans for this project so construction may begin; and

WHEREAS, this legislation authorizes the modification to the agreement to provide for additional design work and funding for that work in the amount of \$60,000.00; and

WHEREAS, a satisfactory proposal has been submitted by the consultant, American Structurepoint, Inc; and

WHEREAS, an emergency exists in the Department of Public Service in that the funding for this agreement should be authorized immediately so the design of the project can continue without delay; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Department of Public Service be and is hereby authorized to modify and increase the reimbursement agreement with the City of Dublin for the Emerald Parkway project, in an amount not to exceed \$60,000.00, to provide additional design work.

SECTION 2. That the 2010 Capital Improvement Budget be amended to provide sufficient authority for this project as follows:

Fund / Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount

746 / 530282-100057 / Resurfacing - Resurfacing 2010 Project 6 / \$441,294.00 / (\$60,000.00) / \$381,294.00

746 / 530161-100003 / Roadway Improvements - Emerald Parkway / \$275,000.00 / \$60,000.00 / \$335,000.00

SECTION 3. That the City Auditor be and hereby is authorized to transfer \$60,000.00 within Fund 746, the Build America Bonds Fund, Dept-Div 59-12, Division of Design and Construction as follows:

TRANSFER FROM

Fund / Project / Project Name / OL 01-03 Codes / OCA Code / amount

746 / 530282-100057 / Resurfacing - Resurfacing 2010 Project 6 / 06-6600 / 768257 / \$60,000.00

TRANSFER TO

Fund / Project / Project Name / O.L. 01-03 / OCA Code / Amount

746 / 530161-100003 / Roadway Improvements - Emerald Parkway / 06-6600 / 743161 / \$60,000.00

SECTION 4. That the expenditure of \$60,000.00, or so much thereof as may be necessary be authorized from Fund 746, the Build America Bonds Fund, Dept./Div. 59-12; OCA Code 743161; Object Level 01-03 Codes 06-6682, for the purpose of providing funding for this modification.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1692-2010

Drafting Date: 11/15/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

Since 2003, millions of ash trees have been killed by the Emerald Ash Borer (EAB), a devastating invasive insect, which

claims the life of otherwise healthy, mature ash trees in as little as one year. These funds will aid in response and recovery of the urban forests from the EAB infestation. Removing hazardous and soon-to-be hazardous trees from public streets and restoring lost tree canopy cover are the primary objectives of this grant program.

Emergency action is requested to ensure the grant application can be submitted by the deadline.

Fiscal Impact: N/A

TitleTo authorize and direct the Director of Recreation and Parks to apply to the Ohio Department of Natural Resources Division of Forestry for federal grant funds available to communities in Franklin County, Ohio impacted now, or in the future, by the Emerald Ash Borer for the removal of and replacement of publicly-owned Ash trees by the City of Columbus; and to declare an emergency.

Body

WHEREAS, the Ohio Department of Natural Resources Division of Forestry is accepting applications for grant funding to address the Emerald Ash Borer infestation in Franklin County; and

WHEREAS, the Recreation and Parks Department wishes to apply for said grant for the removal and replacement of infested trees; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to submit said grant application for the preservation of public health, peace, property and safety;
NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to submit a grant application to the Ohio Department of Natural Resources Division of Forestry for the Emerald Ash Borer Program.

SECTION 2. That this ordinance authorizes an application only and is not a commitment to expend City funds.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1696-2010

Drafting Date: 11/15/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: One parcel currently held in the Land Bank has been approved for disposition. In order to complete the transfer authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of such real property. 00000 Leonard Avenue (010-008479) will be sold to Norwell Freeland Jr. who will use and maintain the property as a side lot expansion. The property will be transferred by deed and recorded in the Official Records of the Franklin County Recorder's Office.

FISCAL IMPACT: No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

Title

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property, located at 00000 Leonard Avenue, Columbus, Ohio 43219, held in the Land Bank pursuant to the Land Reutilization Program.

Body

WHEREAS, the Land Redevelopment Office was authorized to purchase the parcel from the United States Department of Housing and Urban Development through the Good Neighbor Program, by Ordinance 0106-2008, passed January 28, 2008; and

WHEREAS, a proposal for the sale of one parcel which has been acquired pursuant to Section 5722.06 for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

WHEREAS, such parcel of real estate is being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07, competitive bidding is not required; and

WHEREAS, under 5722.07 "fair market value" means the appraised value of the nonproductive land made with reference to such redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may be otherwise applicable to such land; and

WHEREAS, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; and **Now, therefore,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized and directed to execute any and all necessary agreements and deeds to convey title of the following parcel of real estate:

PARCEL NUMBER: 010-008479
ADDRESS: 00000 Leonard Avenue, Columbus, Ohio 43219
PRICE: \$1,500 plus a \$38.00 recording fee
USE: Side yard expansion

Situated in the State of Ohio, County of Franklin, and in the City of Columbus;

Being Lot Number Thirty-Six (36) of SAINT MARY'S GATE ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Pages 488 and 489, Recorder's Office, Franklin County, Ohio.

Section 2. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

Section 3. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1700-2010

Drafting Date: 11/16/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Director of Public Safety, on behalf of the Division of Support Services, to enter into a contract with Motorola for backup maintenance service which is required to ensure continued operation of the Police and Fire 800 MHz Radio System Infrastructure starting January 1, 2011 through December 31, 2011. This agreement is being entered into under the Sole Source provision provided in Section 329.07 of the Columbus City Code. Motorola is the only known company that can provide essential backup service 24 hours a day, seven days a week, for the systems.

The City accepted the 800 MHz Radio System April 1, 1992. The new 800 MHz Infrastructure upgrade was funded by Federal Grant money, and was installed in 2006. This contract will provide backup field engineering support from Motorola for system failures, factory repair and exchange of high tech circuit board failures, and will allow access to Motorola engineers on an around-the-clock basis. The contract covers depot level maintenance for all the fixed end components of the 800 MHz Radio Infrastructure System.

Bid Information: Motorola is the only known provider for these types of services.

Contract Compliance: Contract Compliance Number # 361115800 - Expires: April 08, 2012.

Emergency Designation: Emergency designation is requested to ensure the continued operation and maintenance of the City's 800 MHz Radio System Infrastructure.

FISCAL IMPACT: Funds for this expenditure are budgeted in the Division of Support Services 2010 General Fund operating budget. The Support Services Division expended \$52,026.72 in 2008 and \$52,026.72 in 2009 for these same services.

Title

To authorize and direct the Director of Public Safety, on behalf of the Division of Support Services, to enter into a contract with Motorola for backup maintenance services required for continued operation of the Police and Fire 800 MHz Radio System Infrastructure in accordance with the sole source provisions of the Columbus City Codes; to authorize the expenditure of \$60,613.32 from the General Fund; and to declare an emergency. (\$60,613.32)

Body

WHEREAS, the Division of Support Services is responsible for the Police and Fire communications systems; and

WHEREAS, the Division of Support Services has a need to enter into contract with Motorola for a Backup Service Maintenance Agreement for the Police and Fire 800 MHz Radio Infrastructure; and

WHEREAS, Motorola is the only known company that can provide essential backup service 24 hours a day, seven days a week, for these systems; and

WHEREAS, this contract is being entered into under the Sole Source Provision provided in Section 329.07 of the Columbus City Codes; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Safety, Division of Support Services, in that it is immediately necessary to enter into contract to support the Police and Fire communications systems, thereby preserving the public peace, health, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Safety be and is hereby authorized and directed to enter into a backup Service Maintenance Agreement with Motorola for the Police and Fire 800 MHz Radio Infrastructure System for the period of January 1, 2011 through December 31, 2011.

SECTION 2. That this agreement is made in accordance with the Sole Source provision of Section 329.07 of the

Columbus City Code.

SECTION 3. That for the purpose stated in Section 1 hereof, the expenditure of \$\$60,613.32, or so much thereof as may be needed, is hereby authorized from:

Div. 30-02 | fund: 010 | Obj. Level 1: 03 | Obj. Level 3: 3372 | OCA: 320104 | Amount: \$\$60,613.32

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1705-2010

Drafting Date: 11/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This Ordinance authorizes the Director of Public Utilities to modify and increase an engineering services agreement with ms consultants, inc. for the Division of Power and Water. The original agreement provided for professional engineering services for the design and preparation of construction contract documents for a raw water collection, storage, and delivery system off the Scioto River north of O'Shaughnessy Dam, now known as the Upground Reservoir project. This legislation authorizes the expenditure for engineering services during construction, which was a planned modification stated in Ordinance No. 0825-2004.

Since this will be a multi-year construction project, it is the Division's intent to encumber funds to pay for a portion of the Engineering Services During Construction and to request a future contract modification to pay for the remainder of those services.

Work under Modification No. 1 consists of:

- Additional Engineering Services during the design phase
- Additional services associated with the Value Engineering (VE) study
- Additional services associated with the Peer Review study
- Additional services associated with the Constructability Review study
- Engineering services during the project bidding phase including plan and addendum distribution, attendance at pre-bid meeting and bid evaluation
- Engineering services during construction including:
 - o Management of open house public meetings for all three projects
 - o Attendance at pre-construction meeting
 - o Attendance at monthly construction progress meetings
 - o Review and response to Requests for Information (RFI's)
 - o Preparation of Requests for Proposals (RFP's)
 - o Assist in review and processing of Change Orders and Construction Contract Modifications
- Provide on-site Construction Engineering Services
- Attend In-Factory Inspections for critical materials and equipment
- Assist in review of claims and disputes
- Assist in Start-ups and Commissioning of Equipment and Systems
- Assist in training of City Staff on new equipment and systems
- Prepare Record Drawings
- Prepare Operation, Maintenance and Inspection (OM&I) Manual for Reservoir Site R-2
- Prepare and Emergency Action Plan (EPA) for Reservoir 2

Prepare Post construction stream monitoring & reporting as required by OEPA 401 Water Quality Certification

1.1 Amount of additional funds to be expended: \$2,000,000.00

Original Contract Amount:	\$ 8,098,000.00
<u>Modification 1 (current)</u>	<u>\$ 2,000,000.00</u>
Total (Orig. + Mod. #1)	\$10,098,000.00

1.2. Reasons additional goods/services could not be foreseen:

This was a planned modification as indicated in the original authorizing legislation, Ordinance No. 0825-2004.

1.3. Reason other procurement processes are not used:

This was a planned contract modification identified in the original contracting legislation. The Design Engineer will be involved providing engineering services during construction to ensure the design intent is met during the construction phase.

1.4. How cost of modification was determined:

Costs were submitted by the Consultant and reviewed and verified by the City Project Manager.

2. CONTRACT COMPLIANCE INFO: 34-6546916, expires 5/27/12, Majority

3. FISCAL IMPACT: This expenditure is available within the Water Super Build America Bonds Fund.

Title

To authorize the Director of Public Utilities to modify and increase the engineering services agreement with ms consultants, inc. for engineering services during construction for the Division of Power and Water's Upground Reservoir Project; and to authorize an expenditure of \$2,000,000.00 from the Water Super Build America Bonds Fund. (\$2,000,000.00)

Body

WHEREAS, Contract No. EL005044 was authorized by Ordinance No. 0825-2004, passed June 21, 2004, was executed September 8, 2004, and approved by the City Attorney on September 22, 2004; and

WHEREAS, the Division of Power and Water would like to modify and increase the engineering services agreement with ms consultants, inc. for the Division of Power and Water's Upground Reservoir Project, in order to provide engineering services during construction; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to modify and increase the engineering services agreement with ms consultants, inc. for the Upground Reservoir Project, for the preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities is hereby authorized and directed to modify and increase the engineering services agreement with ms consultants, inc., for the Division of Power and Water's Upground Reservoir Project, in the amount of \$2,000,000.00.

SECTION 2. That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

SECTION 3. That the expenditure of \$2,000,000.00 is hereby authorized for the Upground Reservoir engineering services agreement within the Water Super Build America Bonds Fund, Fund No. 610, Division 60-09, Project No.

690370-100000 (new funding), Object Level Three 6686, OCA Code 610370.

SECTION 4. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 5. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 7. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1706-2010

Drafting Date: 11/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance amends the Management Compensation Plan, Ordinance 1150-2007, as amended, as follows:

To reduce the amount of pension pick-up to 8% beginning April 1, 2011; and

By adjusting the pay grade assigned to the classification of Building Inspection Supervisor based on internal and external comparisons and in accordance with established compensation practices; and to assign pay grades to the newly created classifications of Rental Services Coordinator and Department Information Technology Coordinator; and

To comply with the 2011 minimum wage of \$7.40.

Emergency action is recommended in order to allow for placement efforts to begin for the newly created classifications.

Title

To amend the Management Compensation Plan, Ordinance No. 1150-2007, as amended, by amending Section 4(D), Employee's Contribution to O.P.E.R.S.; by enacting Section 5(E)-D122, Department Information Technology Coordinator, and 5(E)-R180, Rental Services Coordinator; by amending Section 5(E)-B062, Building Inspection Supervisor; and by amending certain classifications in Section 5(F); and to declare an emergency.

Body

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend certain provisions of the Management Compensation Plan, thereby preserving the public peace, property, health, safety, and welfare; Now, Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

See Attachment

Legislation Number: 1708-2010

Drafting Date: 11/16/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND:

- A. **Need.** This legislation authorizes the Director of Public Utilities to enter into a construction contract with the Kenmore Construction Company, Inc in connection with the CSO Regulator Sluice Gate Modifications Project; to authorize the appropriation, transfer, and expenditure of \$2,148,200.00 from the Ohio EPA Water Pollution Control Loan Fund (WPCLF) for the Division of Sewerage and Drainage.

This is a Wet Weather Management Plan project that will address the combined sewer overflow reduction requirements of the Combined Sewer Overflow Consent Order and OEPA approved Combined Sewer Long Term Control Plan - Interim (2010) Plan Update, dated March 7, 2008.

This project will address restrictions in the existing combined sewer system in preparation of the OSIS Augmentation and Relief Sewer (OARS) and reduces the SSO's from DSR-83. This project is being performed as part of the City's OEPA approved Combined Sewer Long Term Control Plan - Interim (2010) Plan Update, dated March 7, 2008. The existing sluice gates at 15 CSO regulators (Hudson, Doe, Frambes, Indianola, King, Third, First, Henry, Chestnut, Spring, Long, Broad, Liberty, Whittier, and Moler) will be removed and the orifices at 4 regulators (Broad, Long, Chestnut and Henry) will be enlarged in order to increase flow to the wastewater treatment plants. In addition, the weir at DSR-83 will be raised approximately 2.84 ft., the sludge manhole at the Whittier Street Storm Tanks will be raised 2.75 ft. and backflow prevention will be installed at manholes 0002S0072 and 0002S0073 in order to reduce overflows at DSR-83 and increase the in-line storage upstream of DSR-83.

Work must be completed within 365 days of the Notice to Proceed.

- B. **Procurement Information:** The Division advertised for competitive bid proposals on the City of Columbus's Vendor Services website and in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. The Division of Sewerage and Drainage opened the responding bids on November 10, 2010 from the following companies:

<u>Name</u>	<u>C.C. No.</u>	<u>City/State</u>	<u>Status</u>
Kenmore Construction Co., Inc.	34-0802152	Akron, OH	MAJ
The Righter Co., Inc	31-0889208	Columbus, OH	MAJ
Complete General Construction Co.	31-4366382	Columbus, OH	MAJ

These bids were reviewed and ranked utilizing the Bid Tab and Quality Factor Form evaluation process. After careful consideration, the committee recommended that Kenmore Construction Company, Inc. be selected to provide the construction services for the CSO Regulator Sluice Gate Modifications Project.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

The Engineer's construction cost estimate was: \$4,335,464.00

The Award is recommended to the lowest Responsive, Responsible, and Best Bidder.

- C. **Contract Compliance No.:** 34-0802152 | Expires: 08/04/2011 | MAJ

- D. **Emergency Designation:** Emergency designation is requested. This is a Wet Weather Management Plan project that

will address the combined sewer overflow reduction requirements of the Combined Sewer Overflow Consent Order and OEPA approved Combined Sewer Long Term Control Plan - Interim (2010) Plan Update, dated March 7, 2008.

Completion of this project (especially: raise of DSR 83 weir and sludge manhole located at the Whittier Street Storm Standby Tanks plus installation of backflow prevention valves at manholes 00012072 and 0002s0073) will provide a immediate benefit in reducing combined sewer overflows at the Whittier Street Storm Standby Tanks.

FISCAL IMPACT:

This ordinance authorizes the appropriation, transfer and expenditure of \$2,148,200.00 from the Sewer System Reserve Fund to the Water Pollution Control Loan Fund to fund this project expenditure. This transaction is a temporary measure that is required until such time as the Department is able to execute a WPCLF loan agreement with the Ohio EPA and the Ohio Water Development Authority (OWDA); reimburse the Sewer System Reserve Fund, and the loan award is tentatively scheduled for the January 27, 2011 OWDA board meeting.

Title

To authorize the Director of Public Utilities to contract with and enter into a construction contract with Kenmore Construction Company, Inc. in connection with the CSO Regulator Sluice Gate Modifications Project; to authorize the appropriation, transfer, and expenditure of \$2,148,200.00 from the Sewer System Reserve Fund to the Water Pollution Control Loan Fund to fund this project expenditure for the Division of Sewerage and Drainage; and declare an emergency. (\$2,148,200.00).

Body

WHEREAS, three (3) competitive bids for construction of the CSO Regulator Sluice Gate Modifications Project, were received and opened on November 10, 2010 in the offices of the Director of Public Utilities; and

WHEREAS, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with Kenmore Construction Company, Inc., in order to provide for construction of CSO Regulator Sluice Gate Modifications Project; and

WHEREAS, the Ohio Water Development Authority (OWDA) is scheduled to approve a loan to the City of Columbus on the January 27, 2011, in the amount of \$2,148,200.00 identified as Ohio EPA Loan Number CS390274-0129 to provide financing for the above listed project with eligible costs including the construction contract and contingency; and

WHEREAS, sufficient monies will be available within the Sanitary Sewer Reserve Fund 654 and transferred to the Water Pollution Control Loan Fund 666 for the construction contract and capitalized interest expenditures; and

WHEREAS, it is immediately necessary to both appropriate funds from the Sanitary Sewer Reserve Fund and to authorize the transfer of said funds into the Water Pollution Loan Fund, in order to temporarily fund the construction contract expenditure, until such time as the City is able to execute a WPCLF loan agreement for the above stated purpose and reimburse the Sanitary Sewer Reserve Fund; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Water Pollution Control Loan Fund 666; and

WHEREAS, an emergency exist in the usual daily operations of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the Director of Public Utilities to enter into a construction contract with the Kenmore Construction Company, Inc., for the Wet Weather Management Plan project that will address the combined sewer overflow reduction requirements of the Combined Sewer Overflow Consent Order and OEPA approved Combined Sewer Long Term Control Plan for the CSO Regulator Sluice Gate Modifications Project, and enter into this contract at the earliest practical date for the immediate preservation of the public health, welfare, peace, property, and safety; **Now, Therefore,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be, and hereby is, authorized to enter into a contract with Kenmore Construction Company, Inc., 700 Home Avenue, Akron, Ohio 44310 for the CSO Regulator Sluice Gate Modifications Project in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

SECTION 2. The Ohio Water Development Authority (OWDA) is tentatively scheduled to approve a loan to the City of Columbus on January 27, 2011 to provide financing for the construction contract.

SECTION 3. That from the unappropriated monies in the Sanitary Sewer Reserve Fund 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated from any other purpose for the CSO Regulator Sluice Gate Modifications Project, the sum of \$2,148,200.00 is hereby appropriated to the Division of Sewerage and Drainage; Division 60-05 | ObjLv11 10 | ObjLv13 5502 | OCA Code 901654

SECTION 4. That the City Auditor is hereby authorized to transfer \$2,148,200.00 to the Water Pollution Control Loan Fund No. 666, into the appropriate project accounts as specified in the below section, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 5. That for the purpose of paying the cost of the Ohio Water Development Authority (OWDA) Fund Eligible Items within the aforementioned contract, the following expenditure, or as much thereof as may be needed, is hereby authorized as follows: Fund No. 666, Dept/Div. No. 60-05, Project: 650737-100000 | OCA Code 667370 | Object Level One 10 | Object Level Three 6630 | Amount \$2,148,200.00.

SECTION 6. That said construction company, Kenmore Construction Company, Inc., shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

SECTION 7. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 8. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

Section 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1713-2010

Drafting Date: 11/17/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

..Explanation1. BACKGROUND

The purpose of this legislation is to create a reimbursement mechanism, for developers of property or public agencies who build public sidewalk curb ramps and required pedestrian pushbuttons off premises, in order to comply with maintaining a Pedestrian Accessible Route as required by the Americans with Disabilities Act of 1990, and all regulations and

amendments promulgated thereto. This legislation establishes the authority of the Director of Public Service to, upon request by the developer or public agency building off-site curb ramps and required pedestrian pushbuttons, require reimbursement from the developer of the parcel abutting the off-site curb ramps for reasonable design, construction and bonding costs of building said improvements for a period of up to ten years following final acceptance of the off-site curb ramp construction.

This legislation is expected to ensure that public pedestrian facilities continue to be constructed compliant to the Americans with Disabilities Act of 1990 ("ADA"), and all regulations and amendments promulgated thereto, in a timely and equitable manner to the builders of curb ramps in the city of Columbus.

On February 9, 2009, Columbus City Council adopted Ordinance 0128-2009, reorganizing the Transportation Division into three new divisions, one of which is the Division of Mobility Options. Among the primary duties of the Division of Mobility Options is ADA services.

In March, 2009, the Division of Mobility Options began drafting updates to city ADA engineering standards and procedures. The Division met numerous times with representatives of the Building Services Review Committee ("BSRC") to review the draft changes with the BSRC and gain their input. Among other comments, the BSRC requested city staff explore the possibility of reimbursement from future developers benefitting from the construction of off-site curb ramps required to maintain ADA compliance for the first developer.

Columbus City Code neither presently allows for curb ramp construction reimbursement, nor authorizes the Director of Public Service to promulgate rules and regulations to do so. In the interest of fairness to the builder of off-site curb ramps, it is reasonable for the City of Columbus to allow for the possibility of reimbursement from a future benefitting developer, should the developer or public agency building off-site curb ramps and required pedestrian pushbuttons request reimbursement.

The proposed code changes within this ordinance create a reimbursement mechanism for the developer or public agency building off-site curb ramps and required pedestrian pushbuttons to be reimbursed for reasonable design, construction and bonding costs attributed to the construction of off-site curb ramps and required pedestrian pushbuttons up to ten years following final acceptance of the off-site curb ramp construction. Thus, if a developer of property abutting the off-site curb ramps applies for zoning site plan approval from the City within ten years after the off-site curb ramps are constructed, that developer will be required to reimburse the original developer or public agency who constructed the off-site curb ramps and required pedestrian pushbuttons for reasonable costs attributed to building said improvements, as well as reimburse the City for costs to monitor and process the reimbursement.

Following adoption of this ordinance, the Director of Public Service will promulgate rules and regulations detailing the process for reimbursement. It is anticipated that the rules and regulations will be in force by the end of January, 2011, or as soon as the code changes are effective. The rules and regulations will be promulgated according to City Code, and will apply to all zoning site plans and capital projects requiring off-site curb ramps and required pedestrian pushbuttons submitted for first review after February 1, 2011. While City Code and the subsequent promulgated rules and regulations create the law and process for reimbursement, it will be the responsibility of the developer or public agency building curb ramps and required pedestrian pushbuttons to request such reimbursement from the City.

On July 13, 2010, the Transportation and Pedestrian Commission reviewed and recommended adoption of these proposed code changes.

2. FISCAL IMPACT

There is no cost to the city of Columbus at this time.

3. EMERGENCY DESIGNATION

Emergency action is requested for this ordinance to allow these changes in City Code to be made in order that the rules and regulations detailing the process for reimbursement can be made and be in place by the end of January, 2011.

Title To amend Chapter 905 and Chapter 4307 of the Columbus City Code, 1959, to create a mechanism for reasonable curb ramp construction cost reimbursement and recoupment of reasonable city administrative costs pertaining thereto, and to declare an emergency.

BodyWHEREAS, Chapter 905 of the Columbus City Code, 1959 requires the construction of public curb ramps in the right-of-way be compliant with the Americans with Disabilities Act of 1990 ("ADA"); and

WHEREAS, the development or redevelopment of land may trigger the requirement that public ADA-compliant curb ramps and required pedestrian pushbuttons be built off-premises, in order to maintain ADA compliance in the public right-of-way; and

WHEREAS, the construction of the off-premises public curb ramps and required pedestrian pushbuttons, while required to maintain ADA compliance within the public right-of-way, poses an economic hardship on the developer or public agency building said off-premises curb ramps and required pedestrian pushbuttons; and

WHEREAS, the city of Columbus has established reimbursement requirements on future developers benefitting from oversizing of sewers and waterlines, to which off-premises curb ramp and required pedestrian pushbutton construction can be considered analogous; and

WHEREAS, it is not unreasonable for the city of Columbus to establish a reimbursement requirement on the future developer benefitting from the construction of the off-site curb ramps and required pedestrian pushbuttons from the first developer or public agency; and

WHEREAS, on July 13, 2010, the Transportation and Pedestrian Commission reviewed and recommended adoption of these proposed code changes; and

WHEREAS, it is further not unreasonable for the city of Columbus to establish an expiration of reimbursement requirements from oversizing of public infrastructure, or in this case, construction of off-premises curb ramps and required pedestrian pushbuttons; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, in that these changes to the City Code should take place at the earliest possible time in order to enact rules and regulations detailing the process for reimbursement by the end of January, 2011, thereby preserving the public health, peace, property, and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That Section 905.075 of the Columbus City Code, 1959 is hereby enacted to read as follows:

905.075 Curb ramp requirements.

All curb ramps constructed, reconstructed, or repaired shall comply with the Americans with Disabilities Act of 1990 and any subsequent modifications or amendments thereto, current Construction and Material Specifications of Columbus (CMSC), current City of Columbus Standard Construction Drawings, and applicable rules and regulations. In order to maintain a compliant Pedestrian Accessibility Route as defined by the Americans with Disabilities Act of 1990, off-premises public curb ramps and other necessary accommodations including pedestrian pushbuttons shall be required opposite the public curb ramps built or reconstructed by a developer adjacent to his or her property or by a public agency constructing an improvement. Said off-premises public curb ramps and other necessary accommodations including pedestrian pushbuttons shall be eligible for reimbursement according to the provisions of Section 4307.29(H).

SECTION 2. That Section 4307.29 of the Columbus City Code, 1959 is hereby amended to read as follows:

4307.29 Sidewalk and bikeway requirements.

All subdivisions, site developments or sections thereof which, shall have installed in them sidewalks and bikeway facilities as specified in the Bicentennial Bikeways Plan to serve each lot or parcel therein. Such sidewalks and bikeway facilities shall be installed by the property owners abutting the street rights-of-way within the development and along the existing

streets fronting the development, except as provided for in subsections (E), (F), (G) and (H) below, and they shall be constructed according to the requirements herein.

(A) Sidewalks and bikeways shall have a hard, improved surface constructed of materials and to standards established by the director of public service and/or their designee depending on type of street construction, anticipated permanence of sidewalk, and land uses being served. Such specifications shall be available for inspection in the department of public service offices.

(B) Sidewalks and bikeways shall be located in the right-of-way of the street or as close to the right-of-way line as possible, and shall extend across the entire dimension of each lot or parcel side adjacent to a public street.

(C) All sidewalks and bikeways required by this chapter shall be completed upon the occurrence of any one of the following conditions:

(1) Prior to final inspection by the department of the building, structure, or other improvement on the lot or parcel that the sidewalk serves.

(2) In the case of vacant lots or parcels, whenever seventy-five percent of the lots or parcels located on a given side of a dedicated street between two consecutive intersecting streets (a block) have been serviced with a final inspection by the department.

(3) Not later than the second anniversary after the date of acceptance of the improved streets by the city.

(D) Bikeways shall be located, configured and completed according to the Bicentennial Bikeways Plan and include separate shared-use paths, bike lanes and signed and marked shared bike routes.

(E) Notwithstanding the provisions stated earlier where a subdivision includes a dedicated street to provide access from an existing street to the subdivision, and such dedicated street bisects property and thereby creates parcels which are not a part of the subdivision but are adjacent to the dedicated street, then it shall be the responsibility of the developer or subdivider to install sidewalks and bikeway facilities within the dedicated street right-of-way or easement whenever sidewalks and bikeway facilities are required in the subdivision itself. Such sidewalks and bikeway facilities shall be installed along the dedicated street right-of-way or easement from the existing street to the first lots or parcels in the subdivision, and shall be completed prior to acceptance of the improved street by the city.

(F) Notwithstanding the foregoing provisions of this section, where the zoning code permits placement of continuous sidewalks in common space rather than in the public right-of-way, then the placement provisions of the zoning code shall govern.

(G) Sidewalk or Bikeway Fee in Lieu of Construction. It is the desire of the city to have required sidewalks and bike facilities built at the time of and congruent with development. However, there may be circumstances regarding safety, economic waste and geographical features that preclude such construction. The Director of Public Service has the authority to approve construction exemptions and collect a fee in lieu of as set out in properly promulgated rules and regulations. In no instance will a private or public entity not build or pay a fee in lieu of sidewalk or bike facility construction.

(H) Off-Premises Public Curb Ramp Construction. The developer ("First Developer") or public agency building off-premises public curb ramps to maintain ADA compliance of the public right-of-way as a result of his or her development or construction activity shall be eligible to be reimbursed for the reasonable design, construction and bonding cost to build said public off-premises curb ramps and other necessary accommodations including pedestrian pushbuttons. Said eligibility shall expire ten years following final acceptance of the off-premises public curb ramp construction. The First Developer or public agency shall request from the Director of Public Service reimbursement at the time of his or her site plan approval. The First Developer or public agency shall then provide within a reasonable time following construction of the off-premises curb ramps and other necessary accommodations including pedestrian pushbuttons documentation acceptable to the city of Columbus of actual reasonable design, construction and bonding costs to build the

off-premises curb ramps and other necessary accommodations including pedestrian pushbuttons. The developer of property abutting constructed off-premises public curb ramp and other necessary accommodations including pedestrian pushbuttons ("Second Developer") shall reimburse the First Developer or public agency the documented reasonable design, construction and bonding cost as a condition of and at the time of his or her site plan approval if said site plan is approved within ten years of final acceptance of the off-premises curb ramp construction. The First Developer shall also reimburse the city of Columbus for reasonable administrative costs associated with reviewing, approving and tracking the reimbursement. Said costs shall be determined by the Director of Public Service or designee.

SECTION 3. That the sections of Chapter 905 and Chapter 4307 of the Columbus City Code, 1959 as modified by this ordinance shall only apply to applications for rezoning and site plan approval and capital improvement project plans submitted for first review after February 1, 2011.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten day after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1714-2010

Drafting Date: 11/17/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Director of Finance and Management to enter into contract with Nu-Vision Technologies DBA Black Box for the purchase, full parts warranty, delivery and installation of NEC SV8300 telephone communications equipment and NEC 2400 IPX P2P software licenses as specified in the bid document SA003762. This equipment is a VOIP system and was selected over traditional telephone equipment because it allows Support Services to utilize the existing city owned fiber and leased infrastructure. Additionally, by utilizing this infrastructure, the monthly recurring cost will be reduced. For example, connecting to the VOIP/TDM system at Police Headquarters and using fiber and existing infrastructure, the city will pay \$0.20 per month per Centrex line versus the current cost of \$25.00 per line per month. The equipment and software will be installed at two different locations as part of the Public Safety Telephone network.

This ordinance also authorizes the amendment of the 2010 Capital Improvement Budget (CIB) and authorizes the City Auditor to transfer funds between projects within the Safety Voted Bond Fund.

The selection process for this contract was completed in accordance with the competitive procurement provisions under Section 329.14 of the Columbus City Code. Proposals were received for SA003762 on November 11, 2010 from four (4) companies.

Four (4) bids were submitted as follows (0 MBE, 0 FBE):

<u>Company</u>	<u>City/State</u>	<u>Amount</u>
Nu-Vision Tech. DBA Black Box	Centerville OH	\$104,261.34
Optus Inc	Jonesboro AZ	\$115,863.00
Horizon Chillicothe	Chillicothe OH	\$126,150.00
ClarkTel Communications	Akron OH	\$180,567.00

After careful review of the bids received, the Division of Support Services recommends acceptance of the bid submitted by Nu-Vision dba Black Box as the lowest and best overall proposal.

Contract Compliance: Black Box #20-0532706 expires 11-08-2012.

EMERGENCY DESIGNATION: Emergency designation is requested in order to avoid any possibility of delay in equipment delivery and installation.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$104,261.34 from Public Safety's Voted Bond Fund for the purchase, full parts warranty, delivery and installation of NEC SV8300 telephone communications equipment and NEC 2400 IPX P2P software licenses. The CIB is also amended and funds transferred between projects to properly align cash and appropriations with projected expenditures.

Title

To amend the 2010 Capital Improvement Budget; to authorize the transfer of \$104,261.34 between projects within the Safety Voted Bond Fund; to authorize the Director of Finance and Management to enter into contract with Black Box on behalf of the Division of Support Services for the purchase, full parts warranty, delivery and installation of NEC SV8300 telephone communications equipment and NEC 2400 IPX P2P software licenses, to authorize the expenditure of \$104,261.34 from the Safety Voted Bond Fund; and to declare an emergency. (\$104,261.34).

Body

WHEREAS, there is a need to install a new communications system for the Division of Support Services, and

WHEREAS, there is a need to upgrade the current communications system in the Safety Director's Office, and

WHEREAS, Request for Proposals (RFP) were solicited and received in accordance with Columbus City Codes, and

WHEREAS, after review of the bids received, the Division of Support Services recommends Black Box as the lowest and best overall proposal, and

WHEREAS, it is necessary to amend the 2010 Capital Improvement Budget and transfer cash between projects in the Safety Voted Bond Fund, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Support Services, in that it is immediately necessary to authorize the Director of Finance and Management to enter into contract with Black Box for the purchase, full parts warranty, delivery and installation of NEC SV8300 telephone communications equipment and NEC 2400 IPX P2P software licenses in an effort to avoid any disruptions in communications, thereby preserving the public health, peace, property, safety and welfare, now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Finance and Management is authorized to enter into contract with Black Box on behalf of the Division of Support Services for the purchase, full parts warranty, delivery and installation of NEC SV8300 telephone communications equipment and NEC 2400 IPX P2P software licenses,

SECTION 2. That the 2010 Capital Improvement Budget is hereby amended as follows;

Voted Safety Funds
Fund Number 701

Project/Project #
Revised CIB

Police Facility Renovation - 330021-100000 (Voted 2008)

Current CIB

\$1,358,777

\$1,254,515.00

Support Services Complex - 320017- 100001 (Voted 2008)
\$1,963,511.00

\$1,900,000

Telephone Upgrade- VOIP- Safety - 470052-100004 (Voted 2008)
\$40,751.00

\$0

SECTION 3. That the City Auditor is hereby authorized and directed to transfer funds within Safety Voted Bond Fund as follows:

FROM:

Dept/Div. 3003| Fund 701|Project Number 330021-100000|Project Name: Police Facility Renovation|OCA Code: 713321|Amount: \$104,261.34.

TO:

Dept/Div. 3002| Fund 701|Project Number 320017- 100001|Project Name: Support Services Complex|OCA Code: 711702|Amount: \$63,510.75

TO:

Dept/Div. 3002| Fund 701|Project Number 470052-100004|Project Name: Telephony Upgrade- VOIP- Safety|OCA Code: 715204|Amount: \$40,750.59

SECTION 4. That the expenditure of \$104,261.34, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 30-02
Fund: 701
Project Number: 320017- 100001
OCA Code: 711702
Object Level One: 06
Object Level 3: 6644
Amount \$63,510.75

Division: 30-02
Fund: 701
Project Number: 470052-100004
OCA Code: 715204
Object Level One: 06
Object Level 3: 6644
Amount \$40,750.59

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contract or contract modifications associated with this ordinance.

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor of ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1716-2010

Drafting Date: 11/17/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

This legislation authorizes the Director of the Department of Technology (DoT), to enter into contract with the OARnet/OSU, for the purchase of VMware software licenses, services and training. The agreement to purchase the required software licenses, training, and services will provide a recovery platform in case of any outage at the primary data center, provide software to establish lower cost database platforms, and establish a virtual desktop platform to better utilize existing desktop computing resources within the City.

The Department of Technology has identified a need to expand the virtualization platform it has built its data infrastructure on, to include disaster recovery, database, and desktop computing platforms. The Data Center/Disaster Recovery Site project is ready for the addition of hardware and software to bring information systems online in that facility. Purchase of the software licenses will provide a platform for faster recovery and higher availability of critical data system in the event of an outage at the primary facility.

Server virtualization has been adopted by the Department of Technology to reduce the costs of data systems, reduce power consumption and cooling requirements, and provide further capabilities for recovery and availability of information systems. The initial phase of the virtualization project was completed in 2009. Expansion of this platform will allow the Department of Technology to further reduce costs of software licensing and hardware purchases, and through power consumption savings.

This ordinance also requests to waive the competitive bidding provisions in accordance with section 329 of the Columbus City Code. This purchase with OARnet is from the State of Ohio Virtualization Program for \$170,831.43 and is a critical part of DoT's capital project for virtualization. OARnet pricing discounts for VMWare software are greater than can be achieved through the bid process.

EMERGENCY:

Emergency action is requested to ensure that the needed services are not delayed.

FISCAL IMPACT:

Earlier this year the Department of Technology purchased VM software licenses and technical support on behalf of the Building and Zoning Department (BZS), ED042400, for \$11,011.20. The funding for this purchase has been in the amount of \$170,831.53 is available and has been identified within the Department of Technology, Information Services Fund .

CONTRACT COMPLIANCE:

Vendor: OARnet/OSU, 1224 Kinnear Rd Ste. 130, Columbus, OH 43212 CC#/FID#: 31-6025986 (105) Non Profit Organization (NPO)

Title

To authorize the Director of the Department of Technology to enter into contract with OARnet/OSU, for the purchase of VMware software licenses, services and training; to waive the competitive bidding provisions of Columbus City Codes; and to authorize the expenditure of \$170,831.53 from the Department of Technology, Information Services Fund; and to declare an emergency. (\$170,831.53)

Body

WHEREAS, this legislation will authorize the Director of the Department of Technology to enter into contract with

OARnet/OSU for the purchase and VMware software licenses, services and training; and

WHEREAS, the purchased software will be utilized to provide improved recovery and availability for City of Columbus Information Systems; and

WHEREAS, information systems such as 311, Geographical Information Systems (GIS), Email, Accela, and WAM are critical to the operations of City agencies, and

WHEREAS, virtualization is a proven cost-saving measure implemented by the Department of Technology, and

WHEREAS, this ordinance requests approval to enter into contract for services provided by OARnet/OSU, and to waive the competitive bidding provisions of the Columbus City Codes (Section 329.07); and

WHEREAS, as emergency exist in the usual daily operation of the Department of Technology in that it is immediately necessary to enter into a contract with OARnet/OSU, for the purchase of VMware software licenses, training, and associated services, for the preservation of the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1: That the Director of the Department of Technology be and is hereby authorized to enter into contract with OARnet/OSU in the amount of \$170,831.53, for the purchase of VMware software licenses, training, and associated services.

SECTION 2: That the expenditure of \$170,831.53 or so much thereof as may be necessary is hereby authorized to be expended from:

Dept./Div. 47-02| Fund 514| Subfund: 001| |OCA Code: 470202| Obj. Level 1: 03| Obj. Level 3: 3358| Amount:
\$49,073.50 License Fees

Dept./Div. 47-02| Fund 514| Subfund: 001| |OCA Code: 470202| Obj. Level 1: 03| Obj. Level 3: 3369| Amount:
\$79,758.03 Maintenance Fees

Dept./Div. 47-02| Fund 514| Subfund: 001| |OCA Code: 472417| Obj. Level 1: 03| Obj. Level 3: 3336| Amount:
\$42,000.00 Professional Services

SECTION 3: That this ordinance requests to waive the competitive bidding provisions of the Columbus City Codes Section 329.07.

SECTION 4: That the City Auditor is authorized to make any changes to revise the funding source for any contract or contract modifications associated with this ordinance

SECTION 5: That for the reasons stated in the preamble hereto, which is made part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1720-2010

Drafting Date: 11/17/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND:

In the course of effecting roadway improvements, it is sometimes necessary to force the relocation of utilities from privately held easements. These relocations are in areas where the City has previously allowed utilities, but due to this

project there is a need to relocate them at the City's expense. Utility relocation estimates are normally included in the budget for each project, but occasionally estimates are insufficient and not always in the city's control. This legislation provides a source of funding for utility relocations yet to be named in order to provide for quick turnaround of these relocations once the utility and project are determined.

City Council recognizes that this ordinance does not identify the contractor(s) to whom the contract(s) will be awarded and understands that its passage will give the Public Service Director the final decision in determination for such contract(s). This Council is satisfied it is in the best interests of the City to delegate this contracting decision.

2. FISCAL IMPACT:

This ordinance authorizes an expenditure of \$50,000.00 for utility relocation expenses. Funds for this expenditure are available within the Streets and Highways G.O. Bonds Fund and the Build America Bonds Fund.

TitleTo authorize the Director of Public Service to reimburse various utilities for utility relocation costs incurred in conjunction with Public Service capital improvement projects; to amend the 2010 C.I.B.; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund and the Build America Bonds Fund; and to authorize the expenditure of \$50,000.00 from the Streets and Highways G.O. Bonds Fund and the Build America Bonds Fund. (\$50,000.00)

Body**WHEREAS**, the City of Columbus is vitally concerned with the use of the various rights-of-way areas in the City as such rights-of-way areas represent a valuable and limited resource that must be utilized to promote the public health, safety and welfare including the economic development of the City; and

WHEREAS, the Department of Public Service requires funding to be available for utility relocation expenses for yet to be determined projects in order to provide for quick turnaround of utility relocation work; and

WHEREAS, this ordinance authorizes funding in the amount of \$50,000.00 for that purpose; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be and hereby is authorized to pay utility relocation costs to various utilities for Capital Improvement projects to be determined.

SECTION 2. That the 2010 Capital Improvements Budget established within ordinance 0564-2010 be and hereby is amended due to encumbrance cancellations as follows:

Fund / Project / Project Name / Current CIB / CIB Change / Amended CIB

704 / 530103-100000 / Arterial Street Rehabilitation / \$41,765.00 (Carryover) / \$12,146.78 (Carryover) / \$53,912.00 (Carryover)
704 / 530210-100000 / Curb Replacement / \$0.00 (Carryover) / \$3,056.00 (Carryover) / \$3,056.00 (Carryover)
704 / 590955-100003 / Operation Safewalks - Joyce Avenue Phase 1 / \$0.00 (Carryover) / \$2.00 (Carryover) / \$2.00 (Carryover)

SECTION 3. That the 2010 Capital Improvements Budget established within ordinance 0564-2010 be and hereby is amended to provide funding for utility relocations as follows:

Fund / Project / Project Name / Current CIB / CIB Change / Amended CIB

704 / 530087-100000 / ADA Ramp Projects / \$1,344.00 (Carryover) / (\$1,344.00) (Carryover) / \$0.00 (Carryover)
704 / 530103-100000 / Arterial Street Rehabilitation / \$53,912.00 (Carryover) / (\$12,147.00)(Carryover) / \$41,765.00 (Carryover)
704 / 530210-100000 / Curb Replacement / \$3,056.00 (Carryover) / (\$3,056.00) (Carryover) / \$0.00 (Carryover)
704 / 590955-100003 / Operation Safewalks - Joyce Avenue Phase 1 / \$2.00 (Carryover) / (\$2.00) (Carryover) / \$0.00 (Carryover)
746 / 530282-100057 / Resurfacing 2010 - Project 6 / \$414,745.00 / (\$33,451.00) / \$381,294.00
704 / 530161-100000 / Roadway Improvements / \$0.00 (Carryover) / \$16,549.00 (Carryover) / \$16,549.00 (Carryover)

746 / 530161-100000 / Roadway Improvements / \$0.00 / \$33,451.00 / \$33,451.00

SECTION 4. That the sum of \$1.89 be and hereby is appropriated from the unappropriated balance of the Streets and Highways G.O. Bonds Fund, no. 704, and from all monies estimated to come into said Fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2010, as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 590955-100003 / Operation Safewalks - Joyce Avenue Phase 1 / 06-6600 / 743955 / \$1.89

SECTION 5. That the City Auditor be and hereby is authorized to transfer cash and appropriation in the amount of \$50,000.00 within the Streets and Highways G.O. Bonds Fund, no. 704 and the Build America Bonds Fund, no. 746, as follows:

TRANSFER FROM:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530087-100000 / ADA Ramp Projects / 06-6600 / 704087 / \$1,344.40
704 / 530103-100000 / Arterial Street Rehabilitation / 06-6600 / 590041 / \$12,146.78
704 / 530210-100000 / Curb Replacement / 06-66000 / 591148 / \$3,056.00
704 / 590955-100003 / Operation Safewalks - Joyce Avenue Phase 1 / 06-6600 / 743955 / \$1.89
746 / 530282-100057 / Resurfacing 2010 - Project 6 / 06-6600 / 768257 \$33,450.93

TRANSFER TO:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530161-100000 / Roadway Improvements / 06-6600 / 590046 / \$16,549.07
746 / 530161-100000 / Roadway Improvements / 06-6600 / 746161 / \$33,450.93

SECTION 6. That for the purpose of paying the cost of the utility relocation the sum of \$50,000.00 or so much thereof as may be needed, is hereby authorized to be expended for the Division of Design and Construction as follows Dept./Div. 59-12:

Fund / Fund Name / Grant Number / Grant / Object Level 01/03 Codes / OCA Code / Amount

704 / 530161-100000 / Roadway Improvements / 06-6631 / 590046 / \$16,549.07
746 / 530161-100000 / Roadway Improvements / 06-6631 / 746161 / \$33,450.93

SECTION 7. City Council recognizes that this ordinance does not identify the contractor(s) to whom the contract(s) will be awarded and understands that its passage will give the Director of Public Service the final decision in determination for such contract(s). This Council is satisfied it is in the best interests of the City to delegate this contracting decision.

SECTION 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1727-2010

Drafting Date: 11/18/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Director of the Department of Development to modify contract ED041942 with Wendell Hill dba The Shining Company by extending the contract to February 28, 2011 and increasing the contract amount by \$10,000.00. Under this contract The Shining Company provides the initial clean up of vacant and abandoned properties acquired through tax foreclosure. These properties were neglected for an extended period of time before acquisition and the Land Bank Program requires additional funds to perform initial clean up, including weed abatement and removal of trash and debris from vacant structures.

The Shining Company is a Certified Emerging Minority Business Enterprise Company (cc# 31-130-3398, expires Feb. 4, 2012) and one of three contractors selected under bid request 2010 SA003642 to provide various property maintenance services for the Land Redevelopment Office. This ordinance will add \$10,000.00 to the original \$20,000.00 contract to complete initial clean out of recent land bank acquisitions.

EMERGENCY JUSTIFICATION: Emergency action is requested in order to provide immediate property management services for City owned property held in the Land Bank Program.

FISCAL IMPACT: Funds for this contract modification are allocated from the Land Management Fund (\$10,000.00).

Title

To authorize the Director of the Department of Development to modify a contract with The Shining Company to provide various property management services on City owned property held in the Land Bank; to authorize the expenditure of \$10,000.00 from the Land Management Fund; and to declare an emergency. (\$10,000.00)

Body

WHEREAS, this ordinance authorizes the Director of the Department of Development to modify contract ED041942 with The Shining Company to provide various property management services for the Land Redevelopment Office; and

WHEREAS, an initial contract was established for the amount of \$20,000.00 to provide initial clean up of properties acquired through tax foreclosure. This ordinance will add \$10,000.00 and extend the contract to February 28, 2011; and

WHEREAS, The Shining Company was one of the lowest and most responsive bidders to request for bids (2010 SA003642); and

WHEREAS, The Shining Company is a Certified Emerging Minority Business Enterprise company with Equal Business Opportunity Commission Office; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend the contract with The Shining Company to avoid an interruption in program services, all for the preservation of the public health, peace, property, safety and welfare; and **NOW THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to modify contract ED041942 with Wendell Hill dba the Shining Company to provide various property management services to the Land Redevelopment Office for parcels held in the Land Bank by extending the contract to February 28, 2011 and increasing the contract amount by \$10,000.00.

Section 2. That the expenditure of \$10,000.00, or so much thereof as may be necessary from the Department of Development, Division No. 44-01, Land Management Fund, Fund 206, OCA Code 441206, Object Level Three 3370, for the aforesaid purpose is hereby authorized.

Section 3. That these modifications are made pursuant to Section 329.16 of the Columbus City Code.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1728-2010

Drafting Date: 11/18/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Director of the Department of Development to enter into contracts with TruckCo and MU Trucking for trash and debris removal, light demolition, and landscaping services on properties acquired under the Land Reutilization Program and held in the Land Bank. Two contractors were selected out of a total of eight bid proposals submitted on November 22, 2010 for Competitive Sealed Bid SA-003765. The two contractors selected submitted the lowest cumulative bids.

EMERGENCY JUSTIFICATION: Emergency action is requested in order to perform property maintenance on properties recently received through the Land Reutilization Program without interruption.

FISCAL IMPACT: Funds for these contracts are allocated from the Land Management Fund (\$40,000.00).

Title

To authorize the Development Director to enter into contracts with TruckCo and MU Trucking for trash and debris, light demolition, and landscaping services for properties managed by the Land Redevelopment Office; to authorize the expenditure of \$40,000.00 from the Land Management Fund; and to declare an emergency. (\$40,000.00)

Body

WHEREAS, this ordinance authorizes the Director of the Department of Development to enter into a contracts with two contractors to provide trash and debris, light demolition, and landscaping services for the Land Redevelopment Office; and

WHEREAS, the contractors selected from a pool of eight companies that responded to the request for bids (2010 SA-003765); and

WHEREAS, the contractors are Certified Minority Business Enterprise companies with Equal Business Opportunity Commission Office; and

WHEREAS, the contractors were selected based on lowest bid, prior experience, and qualifications; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into contract with various contractors to provided ongoing trash and debris, light demolition, and landscaping services on properties recently received through the Land Reutilization Program without interruption, all for the preservation of the public health, peace, property, safety and welfare; and **NOW THEREFORE,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to enter into contracts with the vendors listed below in accordance with Columbus City Code for trash and debris, light demolition, and landscaping services for properties managed by the Land Redevelopment Office.

Vendor	Contract Comp#	Expiration Date	Type
TruckCo	870775711	4/20/2012	MBE
MU Trucking	800061051	10/06/2011	MBE

Section 2. That the expenditure of \$40,000.00, or so much thereof as may be necessary from the Department of Development, Division No. 44-01, Land Management Fund, Fund 206, OCA Code 441206, Object Level Three 3370, for the aforesaid purpose is hereby authorized.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1732-2010

Drafting Date: 11/19/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This legislation will authorize the City Attorney to accept the VAWA Domestic Violence Prosecutors Grant #2010-WF-VA2-8758 from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs.

This grant partially funds two Prosecuting Attorneys for the Domestic Violence Unit of the City Attorney's Office. The Domestic Violence Unit assists witnesses and victims of domestic violence through the legal process and provides counseling, referrals, and linkage with agencies and community resources.

Fiscal Impact:

The required matching funds of \$35,667.00 are included in the City Attorney's 2011 General Fund Budget and legislation will be submitted in 2011 to authorize the transfer and expenditure of the required match.

Project period: 01/01/11 - 12/31/11
 Federal Share: \$107,000.00
 Matching funds: \$35,667.00
 Total Grant Award: \$142,667.00

Title

To authorize the acceptance of a grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Program and the appropriation and expenditure of said funds for the Domestic Violence Prosecutors Program. (\$103,705.00)

Body

WHEREAS, the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, has awarded the City of Columbus, City Attorney's Office, a grant in the amount of One Hundred Three Thousand Seven Hundred Five Dollars (\$103,705.00) for the VAWA Domestic Violence Prosecutors Program, and

WHEREAS, the City Attorney desires authority to accept and expend said grant award; and, now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

SECTION 1. That the City Attorney is hereby authorized to accept a grant award in the amount of One Hundred Three

Thousand Seven Hundred and Five Dollars (\$103,705.00) from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs.

SECTION 2. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of One Hundred Three Thousand Seven Hundred Five Dollars (\$103,705.00) is appropriated as follows: department 2401, fund 220, 2011 VAWA DV Prosecutors Grant, grant number 241021, organizational cost account 241021, object level three 1101.

SECTION 3. That funds appropriated in the foregoing Section 2 shall be paid upon order of the City Attorney and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period by law.

Legislation Number: 1736-2010

Drafting Date: 11/19/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation Background

On May 24, 2010, ordinance 0717-2010 passed by the Columbus City Council authorized the Franklin County Municipal Court Clerk (hereinafter "Municipal Court Clerk") to enter into contracts with 3SG Corporation, for the conversion of existing court documents into electronic images and the implementation of a day-forward document conversion system. The imaging services and conversion system are necessary to optimize storage space and reduce future storage costs and provide for more efficient access to court document information.

This ordinance authorizes the Municipal Court Clerk to modify, increase and extend the existing contracts for the purchase of additional imaging services, software and support.

Columbus City Code 329.16 Contract Modifications:

1. Amount of additional funds to be expended under this modification: \$128,000.00.
2. Period of time to be extended: seven months.
3. The software license and maintenance is needed for the day-forward imaging.
4. Additional imaging services were unforeseen, due to the complexity of estimating the number of existing court documents to be converted into electronic images.

The purchases for imaging services, software and maintenance will be from two 3SG Corporation, State of Ohio, State Term Schedules (STS): 3SG Corporation, State Term Schedule # 800071, expiration date 8/31/2013; 3SG Corporation, a dealer of Hyland On Base, State Term Schedule # 533272-3, expiration date 3/31/2012. Due to time and storage constraints, as well as the continuity of the project, cost effectiveness and the minority certification of the company, it is deemed in the best interest of the City to purchase from the aforementioned State Term Schedules. Ordinance 582-87 authorizes the City of Columbus to purchase from cooperative purchasing contracts.

Contracts:

1st Year - Ordinance 0717-2010; EL010420: \$146,756.47

1st Year - Ordinance 0717-2010; EL010419: \$320,000.00

Contract Compliance Number:

3SG Corporation, 31-1651723, expiration date 11/22/2012.

The company is not debarred according to the excluded party listing system of the Federal Government or prohibited from being awarded a contract according to the Auditor of State unresolved finding for recovery certified search.

Emergency: Emergency action is requested so that the project may be undertaken as quickly as possible due to

unavailability of storage space for the Municipal Court documents.

Fiscal Impact: Funds totaling \$128,000.00 are available with the Municipal Court Clerk 2010 computer fund budget.

Title

To authorize the Municipal Court Clerk to modify the existing contracts with 3SG Corporation for the purchase of imaging services, software and maintenance; to authorize the expenditure of \$128,00.00 from the Municipal Court Clerk Computer Fund; and to declare an emergency. (\$128,000.00)

Body

Whereas, the Municipal Court Clerk has an immediate need modify and extend the existing contracts for the purchase of imaging services, software and maintenance, due to unavailability of storage space for court documents; and

Whereas, an emergency exists in the daily operations of the Municipal Court Clerk, in that it is immediately necessary for the Municipal Court Clerk to enter into contracts with 3SG Corporation; thereby, preserving the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Municipal Court Clerk be and is hereby authorized to modify and increase the existing contract with 3SG Corporation for the purchase of imaging services in the amount of \$128,000.00.

Section 2. That the Municipal Court Clerk be and is hereby authorized to modify the contract with 3SG Corporation to purchase software and support from the remaining balance of the existing contract.

Section 3. That the expenditure of \$128,000.00 or so much thereof as may be necessary is hereby authorized from the Franklin County Municipal Court Clerk, organization 2601, fund 227, oca 260208, object level 1 - 03, object level 3 - 3336.

Section 4. This contract modification is in accordance with Columbus City Code 329.16.

Section 5. That for reasons stated in the preamble hereto, where is hereby made a part hereof, this ordinance is hereby declared an emergency measure, which shall take effect and be in force from and after its passage and approved by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1738-2010

Drafting Date: 11/19/2010

Version: 2

Current Status: Passed

Matter Type: Ordinance

Explanation

Council Variance Application: CV10-034

APPLICANT: Nina Masseria; c/o Michael Seamon, Architect; 870 Franklin Avenue; Columbus, Ohio 43205.

PROPOSED USE: Baked-goods store with seating and a real estate office.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a 2-story commercial structure zoned in the ARLD, Apartment Residential District. The applicant requests a Council variance to allow a baked goods store with seating on the first floor while maintaining an existing real estate office on the second floor. Variances for existing yard and area standards, parking lot related items to allow an existing gravel lot for employee parking, and a reduction of 15 required parking spaces are included in the request. The site is located within the planning area of the

Near East Plan (2005), which contains a series of criteria that can be used to determine if proposed commercial uses should be supported within residential areas. Key factors include whether the structure has a history of commercial activity and parking considerations. This request can be supported because the proposal includes a renovated commercial building, brings a desirable business to the area, and is located in a dense, pedestrian-oriented neighborhood.

Title

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD, and AR-1, apartment residential district use; 3312.13, Driveway; 3312.27, Parking setback line; 3312.39, Striping and marking; 3312.43, Required surface for parking; 3312.45, Wheel stop device; 3312.49 Minimum numbers of parking spaces required; 3321.01, Dumpster area; 3333.09, Area requirements; 3333.18 (E), Building lines; 3333.19 (a) (1), Building lines on corner lots; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; and 3333.27, Vision clearance, of the Columbus City Codes; for the property located at **1157-1159 OAK STREET (43205)**, to permit a baked-goods store with seating and a real estate office with reduced development standards in the ARLD, Apartment Residential District **and to declare an emergency**. (Council Variance # CV10-034).

Body

WHEREAS, by application #CV10-034, the owner of the property at **1157-1159 OAK STREET (43205)**, is requesting a Variance to permit a baked-goods store with seating and a real estate office with reduced development standards in the ARLD, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD, and AR-1, apartment residential district use, prohibits commercial uses in the ARLD, Apartment Residential District, while the applicant proposes a baked goods store with seating on the first floor while maintaining an existing real estate office on the second floor; and

WHEREAS, Section 3312.13, Driveway, requires that a commercial driveway be at least twenty (20) feet wide, while the applicant proposes to maintain the existing twelve (12) foot wide driveway; and

WHEREAS, Section 3312.27, Parking setback line, requires a twenty-five (25) foot parking setback line, while the applicant proposes to maintain a zero (0) foot parking setback line for the existing parking spaces along South Champion Avenue; and

WHEREAS, Section 3312.39, Striping and marking, requires parking spaces to be striped, while the applicant proposes to maintain area for four parking spaces to the rear of the building with no striping or marking; and

WHEREAS, Section 3312.43, Required surface for parking, requires the surface of any parking or loading space, parking lot, aisle or driveway be designed to control storm water runoff and be improved with Portland cement, or other approved hard surface other than gravel or loose fill, while the applicant proposes to maintain the gravel parking lot and driveway in the rear of the building for four employee parking spaces; and

WHEREAS, Section 3312.45, Wheel stop device, requires wheel stop devices whenever a parking lot extends to a property line, while the applicant proposes to not to provide wheel stop devices four employee parking spaces; and

WHEREAS, Section 3312.49 Minimum numbers of parking spaces required, requires 1 parking space per 450 square feet of general office space, and 1 parking space per 75 square feet for an eating establishment; a minimum total requirement of twenty (20) parking spaces, while the applicant proposes one (1) ADA parking space, and will maintain an existing gravel lot for up to four employee vehicles; and

WHEREAS, Section 3321.01, Dumpster area, requires that a dumpster not be located in any required yard, while the applicant proposes a dumpster in the required rear yard as shown on the site plan; and

WHEREAS, Section 3333.09, Area requirements, requires that no building shall be erected or altered on a lot with a width of no less than fifty (50) feet, while the applicant proposes to maintain the existing lot width of thirty-nine feet four

inches (39'-4"); and

WHEREAS, Section 3333.18 (E), Building lines, requires buildings to have a minimum setback of ten (10) feet, while the applicant proposes to maintain a setback of zero (0) feet along Oak Street; and

WHEREAS, Section 3333.19 (a) (1), Building lines on corner lots, exceptions, allows a building line of 20% of the lot width along the longer side of a corner lot, which equals 7.88 feet, while the applicant proposes to maintain a minimum building line of two (2) ± feet along South Champion Avenue; and

WHEREAS, Section 3333.22, Maximum side yard required, requires the sum of the widths of each side yard to equal 20% of the lot width or 7.88 feet, while the applicant proposes to maintain a maximum side yard of two (2) ± feet for the existing building; and

WHEREAS, Section 3333.23, Minimum side yard permitted, requires a side yard of no less than five (5) feet, while the applicant proposes to maintain the zero (0) foot side yard along the west property line for the existing building; and

WHEREAS, Section 3333.27, Vision clearance, prohibits any portion of a fence or wall exceeding two and one-half (2 ½) feet in height above the finished lot grade to exceed twenty-five (25) percent opacity when located in a required yard having vehicular access to a street or abutting such access within thirty (30) feet of the intersection, while the applicant proposes to maintain the existing building which encroaches into the clear vision triangle at the intersection of Oak Street and South Champion Avenue; and

WHEREAS, this variance will permit a baked-goods store with seating and a real estate office with reduced development standards in the ARLD, Apartment Residential District; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested Council variance to allow a baked-goods store with seating and a real estate office in an existing commercial building substantially meets evaluation criteria contained in the *Near East Plan (2005)* for consideration of new non-residential uses in residential areas; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **1157-1159 OAK STREET (43205)**, in using said property as desired; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance is hereby granted from the provisions of Sections 3333.02, AR-12, ARLD, and AR-1, apartment residential district use; 3312.13, Driveway; 3312.27, Parking setback line; 3312.39, Striping and marking; 3312.43, Required surface for parking; 3312.45, Wheel stop device; 3312.49 Minimum numbers of parking spaces

required; 3321.01, Dumpster area; 3333.09, Area requirements; 3333.18 (E), Building lines; 3333.19 (a) (1), Building lines on corner lots; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; and 3333.27, Vision clearance, of the Columbus City Codes; for the property located at **1157-1159 OAK STREET (43205)**, insofar as said sections prohibit a baked-goods store with seating on the first floor and a real estate office on the second floor, with a twelve (12) foot wide driveway, a zero (0) foot parking setback line along South Champion Avenue, four un-striped, unmarked parking spaces on a gravel surface and no wheel stop devices, a parking space reduction of fifteen required spaces, a dumpster in the required rear yard, a lot width of thirty-nine feet four inches (39'-4"), building lines of zero (0) feet along Oak Street and two (2) ± feet along South Champion Avenue, a maximum side yard of two (2) ± feet, a 0-foot minimum side yard along the west property line, and encroachment of the existing building into the clear vision triangle at the intersection of Oak Street and South Champion Avenue; said property being more particularly described as follows:

1157-1159 OAK STREET (43205), being 0.12± acres located at the southwest corner of Oak Street and South Champion Avenue, and being more particularly described as follows:

Parcel Number: 010-017250
1157-1159 Oak Street, Columbus Ohio 43205

Situated in t the County of Franklin, State of Ohio and City of Columbus described as follows:

Being Lot Number Two Hundred Eleven (211) in HOFFMAN & MCGREWS SECOND AMENDED ADDITION to the said City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 200, Recorder's Office, Franklin County, Ohio, and also Lot Number TWO Hundred Twelve (212) of HOFFMAN & MCGREWS SECOND AMENDED ADDITION to the said City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 207, Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning at the Northwest corner of said Lot Number 212, thence southerly along the East line of said Lot Number 212 to the South line of said lot, thence westerly along said South line a distance of One (1) foot to a point; thence northerly along a line parallel to and One (1) foot west of the East line of said Lot 212 to a point in the North line of said lot; thence easterly along said North line to the place of beginning.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a baked-goods store with seating on the first floor and a real estate office on the second floor, or those uses permitted in the ARLD, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**1157-1159 OAK STREET SITE PLAN**," dated November 9, 2010, and drawn and signed by Michael Seamon, Architect. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plans shall be subject to review and approval by the Director of the Department Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 5. That this ordinance is further conditioned upon the applicant relocating the existing fences within the South Champion Avenue right-of-way onto the subject site as specified by the Department of Public Service.

SECTION 6. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**

Drafting Date: 11/19/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

APPLICANT: Elmer Blankenship; 475 Hosack Street; Columbus, OH 43207.

PROPOSED USE: To conform a single-unit dwelling in the M, Manufacturing District and to allow an addition.

SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant is applying for a Council variance to conform an existing single-unit dwelling in the M, Manufacturing District so they may construct an addition to it. The site lies within the boundaries of the *South Side Plan* (2002). The Plan does not address this specific site, but it does provide recommendations that generally support the preservation of existing residential areas such as this. The M, Manufacturing District does not reflect the development pattern of the area. Staff finds that it would be too burdensome on this property owner to rezone this site and believes a City sponsored rezoning of the area is more appropriate.

Title

To grant a Variance from the provisions of Section 3363.01, M-Manufacturing district; of the Columbus City Codes for property located at **475 HOSACK STREET (43207)**, to conform a single-unit dwelling in the M, Manufacturing District. (Council Variance # CV10-039)

Body

WHEREAS, by application No. CV10-039, the owner of property at **475 HOSACK STREET (43207)**, is requesting a Council variance to permit a single-unit dwelling in the M, Manufacturing District; and

WHEREAS, Section 3363.01, M-Manufacturing districts, prohibits residential development, while the applicant proposes to conform an existing single-unit dwelling and add on to it; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, the South Side Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the M, Manufacturing District does not reflect the development pattern of the area. Staff finds that it would be too burdensome on this property owner to rezone this site and believes a City sponsored rezoning of the area is more appropriate. The applicant is applying for a Council variance to conform an existing single-unit dwelling in the M, Manufacturing District so they may construct an addition to it. The site lies within the boundaries of the *South Side Plan* (2002). The Plan does not address this specific site, but it does provide recommendations that generally support the preservation of existing residential areas such as this; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **475 HOSACK STREET (43207)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That a variance from the provisions of Sections 3363.01, M-Manufacturing districts, of the Columbus City Codes for property located at **475 HOSACK STREET (43207)**, insofar as said section prohibit a single-unit dwelling; said property being more particularly described as follows:

Being Lot Number Seventy-two (72) in C.L. and L.C. Merion's Subdivision, of land as the same is numbered and

delineated upon the recorded plat thereof, of record, in plat book 5, page 463, Records Office, Franklin County Ohio, Auditor's Parcel No. 010-058137-00, prior Instrument Reference: Columbe 3533 Page 708.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a single-unit dwelling or those uses permitted in the M-Manufacturing District.

Section 3. That this ordinance is further conditioned on any additions to the existing structure must conform to the development standards of the R-3, Residential District.

Section 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1741-2010

Drafting Date: 11/19/2010

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Council Variance Application: CV10-037

APPLICANT: Brothers Drake Ltd; 206 Oak Street; Columbus, OH 43235.

PROPOSED USE: Honey wine making operation or "meadery" with office, tasting room and art gallery.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant is requesting a Council Variance to allow a meadery in the C-3, Commercial District for the production of mead (honey wine). Such a use is permitted only in the M and M-1, Manufacturing Districts; therefore a Council variance is required. The property will house the business office, product development, tasting room, manufacturing and warehousing for the product. The facility will have an art gallery and bar associated with it, although these uses are already permitted in the C-3, Commercial District. The facility will not emit any kind of odor normally associated with micro-breweries that ferment and distill beer. This site is adjacent to a micro-distillery that was approved via CV09-003 on July 6, 2009. The applicant proposes no additional parking for the site while five more parking spaces would be required. There is no place for additional parking on the site and Staff finds this parking variance to be negligible. Staff considers the proposed uses consistent and compatible with the uses in the area.

Title

To grant a Variance from the provisions of Sections 3355.03, C-3 Permitted Uses and 3312.49 Minimum numbers of parking spaces required, of the Columbus City Codes for the property located at **26-30 EAST FIFTH AVENUE (43201)**, to permit a meadery with reduced parking in the C-3, Commercial District **and to declare an emergency** (Council Variance # CV10-037).

Body

WHEREAS, by application No. CV10-023, the owner of property at **26-30 EAST FIFTH AVENUE (43201)**, is requesting a Council Variance to permit a meadery in the C-3, Commercial District; and

WHEREAS, Section 3355.03, C-3 Permitted uses, does not permit a meadery, while the applicant proposes a meadery;

and

WHEREAS, Section 3312.49 Minimum numbers of parking spaces required, requires 1 parking space per 400 square feet of space used for the art gallery which equates to two (2) parking spaces for 500 square feet of art gallery space and 1 parking space per 750 square feet for 2200 square feet of manufacturing space use for a total of five (5) parking spaces for those two uses, while the applicant proposes zero (0) parking spaces for these uses; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of said ordinance because Staff considers the proposed uses consistent and compatible with the uses in the area. The applicant is requesting a Council Variance to allow a meadery in the C-3, Commercial District for the production of mead (honey wine). Such a use is permitted only in the M and M-1, Manufacturing Districts; therefore a Council variance is required. The property will house the business office, product development, tasting room, manufacturing and warehousing for the product. The facility will have an art gallery and bar associated with it, although these uses are already permitted in the C-3, Commercial District. The facility will not emit any kind of odor normally associated with micro-breweries that ferment and distill beer. This site is adjacent to a micro-distillery that was approved via CV09-003 on July 6, 2009. The applicant proposes no additional parking for the site while five more parking spaces would be required. There is no place for additional parking on the site and Staff finds this parking variance to be negligible. Staff finds the proposed use consistent with the uses in the area; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **26-30 EAST FIFTH AVENUE (43201)**, in using said property as desired; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the need to halt unnecessary costs and delays and allow for business operations for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That variances from the provisions of Sections 3355.03, C-3 Permitted uses; and 3312.49 Minimum numbers of parking spaces required of Columbus City Codes are hereby granted for the property located at **26-30 EAST FIFTH AVENUE (43201)**, insofar as said sections prohibit a meadery with zero (0) parking space where five (5) parking spaces would be required, and require 2 parking spaces for an art gallery while zero (0) parking spaces are provided; said property being more particularly described as follows:

Exhibit "A"- Legal Description
For file 1360905

Situated in the City of Columbus, Franklin County, Ohio

Being the third Quarter of the First Township, 18th Range, United States Military Lands, and being part of the premises conveyed to Daniel Sullivan by John Short, by Deed dated June 29, 1882, and more particularly bounded and described as follows:

Beginning at the intersection of the East line of Courtland Avenue with the North line of Fifth avenue; thence Northerly

along the East line of Courtland Avenue 116 feet to a point in said East line; thence Easterly and parallel to the north line of Fifth Avenue 57.17 feet to a point; thence southerly in a Straight line to a point in the North line of Fifth Avenue distant 54.42 feet Easterly from the intersection of the North line of Fifth Avenue and the East line of Courtland Avenue; thence Westerly on the North line of Fifth Avenue 54.42 feet to the place of the beginning.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a meadery and associated operations, or those uses permitted in the C-3, Commercial District.

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**



Legislation Number: 1742-2010

Drafting Date: 11/19/2010

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

APPLICANT: Garland Properties Ltd; c/o Donald T. Plank, Atty; Plank Law Firm; 145 East Rich Street; Columbus, Ohio 43201.

PROPOSED USE: To allow a property management office, a single-unit dwelling and accessory parking.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant requests a Council variance to use a former church as a 9,800+/- square foot property management office and single-unit dwelling. The northernmost 4,400 square feet of the structure is to be demolished and replaced with a new two-story parking structure. The applicant is also requesting yard variances but most of these variances are to address existing conditions. Any new variances are consistent with the existing conditions and will not be a detriment to the surrounding properties. The proposal would preserve this structure while allowing uses consistent with the zoning and land use patterns of the area and improving the parking situation in the area by adding spaces to the site.

Title

To grant a Variance from the provisions of Sections 3333.035, AR-4, Apartment Residential District Use; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; 3333.24, Rear yard and 3372.562 (A) and (C), Landscaped area and treatment; of the Columbus City Codes for property located at **36 EAST NORWICH AVENUE (43201)**, to allow a property management office, a single-unit dwelling and accessory parking in the AR-4, Apartment Residential District with reduced development standards. (Council Variance # CV10-035)

Body

WHEREAS, by application No. CV10-035, the owner of property at **36 EAST NORWICH AVENUE (43201)**, is requesting a Council variance to permit a property management office, a single-unit dwelling and accessory parking in the AR-4, Apartment Residential District with reduced development standards; and

WHEREAS, Section 3333.035, AR-4, Apartment Residential District, does not permit a property management office and a single-unit dwelling, while the applicant proposes to occupy the building with a property management office, a single-unit dwelling and accessory parking; and

WHEREAS, Section 3372.562 (A) and (C), Landscaped area and treatment, requires that at least five (5) percent of the lot

area be planted and located behind the rear most portion of the principal building, while the landscaping is provided in other areas of the parcel, the applicant proposes to provide no landscaping behind the most rear portion of the principal building; and

WHEREAS, Section 3333.22, Maximum side yard required; requires the sum of the widths of each side yard shall equal or exceed twenty percent (20%) of the width of the lot or a total of 14.8 feet for the subject property, while the applicant proposes to maintain the existing side yards of 0.15 feet on the east side and west sides of the site; and

WHEREAS, Section 3333.23, Minimum side yard permitted, requires a minimum side yard of five (5) feet, while the applicant proposes to maintain the existing side yards of 0.15 feet on the east side and west sides of the site; and

WHEREAS, Section 3333.24, Rear yard, requires a rear yard totaling no less than twenty-five (25) percent of the total lot area, while the applicant proposes a zero (0) percent rear yard after reconstruction, which is consistent with the existing condition; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the proposal would preserve this structure while allowing uses consistent with the zoning and land use patterns of the area and improving the parking situation in the area by adding spaces to the site. The applicant is applying for a Council variance to use a former church as a property management office, single-unit dwelling and accessory parking. The northernmost 4,400 square feet of the structure is to be demolished and replaced with a new two-story parking structure. The applicant is also requesting yard variances but most of these variances are to address existing conditions and any new variances are consistent with the existing conditions and will not be a detriment to the surrounding properties; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **36 EAST NORWICH AVENUE (43201)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That a variance from the provisions of Sections Sections 3333.035, AR-4, Apartment Residential District Use; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; 3333.24, Rear yard and 3372.562 (A) and (C), Landscaped area and treatment, of the Columbus City Codes for property located at **36 EAST NORWICH AVENUE (43201)**, insofar as said section prohibit property management office, a single-unit dwelling and accessory parking without 5% of the lot area being landscaped and located behind the rear most portion of the principal building, with minimum side yards of 0.15 feet where 5 feet would be required, maximum side yards of 0.15 feet where 14.8 feet would be required and with a 0% rear yard; said property being more particularly described as follows:

Situate in the State of Ohio, County of Franklin, and in the City of Columbus, and being as described as follows:

Lot Number 5 & 6, John W. Constan's Addition, an addition in Franklin County, Ohio, according to the map or plat of record in Plat Book 3, Page 58, of Franklin County, Ohio.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a single-unit dwelling, property management office no greater than 9,900 square feet and no more than 4,500 square feet of parking **per floor**, or those uses permitted in the AR-4, Residential District.

Section 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1750-2010

Drafting Date: 11/22/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: Columbus City Council (Council), by Ordinance No. 0069-2008, passed January 28, 2008, authorized the City to enter into an Enterprise Zone Agreement (the Agreement) with Capital City Group, Inc. (Enterprise) for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a \$2,500,000 investment in real property improvements and the retention of 147 permanent full-time jobs related to the construction of an approximately 25,146 square foot facility on parcel numbers 010-112491 and 010-233210 at 2299 Performance Parkway in Columbus, Ohio and within the City of Columbus Enterprise Zone. The Agreement was made and entered into to be effective February 29, 2008 (EZA# 023-08-04).

The 2010 Columbus Tax Incentive Review Council (TIRC) reviewed the Capital City Group, Inc. Enterprise Zone project on August 19, 2010, and recommended that the Agreement be continued and that City send Enterprise a job creation warning letter and request a meeting with Enterprise to (1) discuss the job situation, (2) discuss likely job retention goals in light of the nature of employment needs, and (3) amend the Agreement if need be to reflect revised job numbers. Both City and Enterprise have been compliant with the requests of the TIRC. This legislation seeks to authorize amendment of the Agreement to amend the job retention requirements as set forth in the Agreement to maintain a retained job level of 60 jobs with a commensurate retained payroll of \$2,475,104. It is anticipated that the company will be able to maintain good compliance in future years with the revised retained job level requirement. The terms of the tax abatement are not modified by this amendment and it is expected to run through 2018.

This legislation is presented as an emergency measure in order for this amendment to be legislated prior to the end of 2010 so that this amendment to the Agreement can be reported to the necessary local and state agencies prior to the end of calendar year 2010.

FISCAL IMPACT: No funding is required for this legislation.

Title

To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Capital City Group, Inc.; and to declare an emergency.

Body

WHEREAS, the Columbus City Council approved the Enterprise Zone Agreement with Capital City Group, Inc. (the "EZA") on January 28, 2008 by Ordinance No. 0069-2008 and entered into effective February 29, 2008; and

WHEREAS, the EZA grants Capital City Group, Inc. a 75%/10-Year abatement on real property investment; and

WHEREAS, the EZA requires Capital City Group, Inc. to invest \$2,500,000 in real property improvements and retain 147 permanent full-time jobs at their facility to be constructed at 2299 Performance Parkway; and

WHEREAS, the Tax Incentive Review Council (the "TIRC") met on August 19 2010 and it was reported then that the project had met the real property investment goal of the EZA but job retention had fallen short, with 89 jobs reported as retained as of December 31, 2009, compared to the job retention goal of 147; and

WHEREAS, the TIRC recommended that the EZA be continued and that City send Capital City Group, Inc. a job creation warning letter, request a written job plan, and to allow for the possibility of amending the jobs numbers as per the EZA; and

WHEREAS, Capital City Group, Inc. had added a new steel erection unit prior to entering into the EZA but this new venture proved unsuccessful and those employees were laid off impacting the job retention number, and with the natural cycle of construction-related employment being lowest at the end of the year the retained jobs to be reported as of the end of each reporting year have been adjusted downwards; and

WHEREAS, as the City and Enterprise have been compliant with the recommendations of the TIRC, the City desires to amend the job retention requirements of the EZA; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on this agreement in order for this amendment to be legislated prior to the end of 2010 so that this amendment to the Agreement can be reported to the necessary local and state agencies prior to the end of calendar year 2010, and to preserve the public health, property, safety and welfare; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to amend the Capital City Group, Inc. Enterprise Zone Agreement (EZA) to amend the job retention requirement as set forth in the EZA to the retention of 60 jobs with a commensurate overall payroll of \$2,475,104.

Section 2. For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

Legislation Number: 1753-2010

Drafting Date: 11/22/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Purchasing Office has established a Universal Term Contract for Powdered Activated Carbon with MeadWestvaco. The Division of Power and Water needs to establish a Blanket Purchase Order, based on this current contract, for the purchase of Powdered Activated Carbon during 2010.

Definition of use for each water treatment chemical

Powdered Activated Carbon-Total Organic Carbon

Vendor Contract # Contract Compliance #

MeadWestvaco (Powdered Activated Carbon)

FL004285

31-1797999

Contract Compliance Exp. Date

MeadWestvaco

February 13, 2011

FISCAL IMPACT: The Division of Power and Water has allocated \$19,894,334.00 for Water Treatment Chemicals in the 2010 Budget.

\$17,245,549.42 was expended in 2009.

\$14,180,166.32 was expended in 2008.

Emergency Action is necessary so that a purchase order can be issued as soon as possible. The Division was notified in mid November that they will be required to feed Powdered Activated Carbon during a pilot project study at the Dublin Road Water Plant for at least one week in January. Without this emergency action, it is estimated that new funding could not be established until February 25, 2011.

Title

To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Powdered Activated Carbon from an established Universal Term Contract with MeadWestvaco for the Division of Power and Water; to authorize the expenditure of \$132,000.00 from Water Systems Operating Fund; and to declare an emergency. (\$132,000.00)

Body

WHEREAS, the Purchasing Office has established a Universal Term Contract for Powdered Activated Carbon, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, in that it is immediately necessary to authorize the Finance and Management Director to establish a Blanket Purchase Order for Powdered Activated Carbon based on the above mentioned Universal Term Contract, in an emergency manner in order to expedite the completion of the purchase order; for the immediate preservation of the public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Finance and Management be and is hereby authorized to establish a Blanket Purchase Order for Powdered Activated Carbon from a current Universal Term Contract, for the Division of Power and Water, Department of Public Utilities.

Section 2. That the expenditure of \$132,000.00, or so much thereof as may be needed, be and is hereby authorized from the Water Systems Operating Fund, Fund No. 600, OCA 602417, Object Level One 02, Object Level Three 2204.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1757-2010

Drafting Date: 11/22/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The U.S. Department of Housing and Urban Development (HUD) requires the return of all unspent grant funds from the Lead-based Paint Hazard Control Grant Program. A total of up to a maximum of \$50,000.00 of funds remain from this grant because of the cancellation of service contracts and lead hazard control projects. This legislation authorizes the City Auditor to make accounting entries as needed to facilitate this payment to HUD and to closeout the grant.

The Lead Hazard Reduction Demonstration Grant (LHRD) agreement for Lead-Safe Columbus (LSC) was for the period November 1, 2007 to October 31, 2010, in the amount of \$ 4,000,000. 267 units (exceeding the program's

goal by 16) were made lead safe, with direct lead based paint hazard control/removal activities at an average cost of \$7,940 per unit for a total of \$2,119,891. LSC also provided lead based paint inspections and risk assessments for 340 units, 84 more than the goal.

LSC continued to use the "sing-a-long" hand washing CD, produced in English and Spanish, as an outreach tool. In this round of funding over 5000 CD's were distributed at schools, neighborhood pride bike festivals, daycare centers, churches and neighborhoods. In 2010 a 7 month media campaign developed by Murphy Epton and Columbus Policy Works was conducted. Healthy homes tips (based on the 7 Healthy Homes Principles) and a contest featuring prizes from Lowe's were aired daily on three (3) local Radio One urban radio stations, WCKX, WJYD, WXMG. The campaign included staffing a booth at 10 community festivals at which over 21,000 branded healthy homes materials such as information cards, refrigerator magnets and the hand washing CD were distributed.

Under the LHRD grant 198 persons were trained as lead contractor, lead worker and/or lead safe renovators. The number of lead abatement contractors working with LSC went from 18 to 24. LSC continues to improve on efforts to meet its aggressive goal to become the first major city in the country to have no children being lead poisoned in a given year. From 1996 through 2005, Columbus Public Health performed and or monitored through health care providers 91,332 free blood screens. During that time the lead poisoning rate averaged 6.3%. Between 2006 and 2009, Columbus Public Health, performed and or monitored 51,424 free blood screens. In 2009 there were 14,333 kids screened and 85 of those children had elevated blood levels above 10. This is a .59% poisoning rate and proof that the program strategy works.

This legislation is submitted as an emergency as it is immediately necessary to remit unspent LHRD Grant funds to HUD to be in compliance with Federal requirements and closeout the grant.

FISCAL IMPACT: The return of unspent LHRD Grant funds will put the City of Columbus in compliance with Federal requirements and closeout this grant.

Title

To authorize and direct the transfer of remaining balances of various object levels within the General Government Grant Fund, Lead Hazard Reduction Demonstration Grant; to authorize the Director of the Department of Development to remit up to a maximum of \$50,000.00 from the Lead Hazard Reduction Demonstration Program Grant to the U.S. Department of Housing and Urban Development; to authorize the expenditure of up to a maximum of \$50,000.00 from the General Government Grant Fund; to authorize the City Auditor to make accounting entries as needed in the General Government Grant Fund; and to declare an emergency. (\$50,000.00)

Body

WHEREAS, it is the desire of the City of Columbus to remit funds from the General Government Grant Fund, that provided funding for the Lead Hazard Reduction Demonstration Program (LHRD), back to the U. S. Department of Housing and Urban Development; and

WHEREAS, this legislation authorizes the transfer of remaining balances within the General Government Grant Fund, Lead Hazard Reduction Demonstration Grant to provide funding for the Department of Development obligations and expenses relating to the LHRD Grant; and

WHEREAS, funds remain from the LHRD grant because of cancelled service contracts and lead hazard control projects; and

WHEREAS, the return of all unspent LHRD Grant funds will put the City of Columbus in compliance with Federal requirements and closeout the grant; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to remit unspent LHRD Grant funds to HUD to be in compliance with Federal requirements

and closeout the grant; and thereby preserving the public peace, health, safety, and welfare; **NOW, THEREFORE,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor be and is hereby authorized and directed to transfer up to a maximum of \$50,000.00 within the General Government Grant Fund, Fund No.220, Grant Number 447027 as follows:

FROM: Division: 44-01, Object Level One 01, Object Level Three 1101, OCA Code 447027

TO: Division: 44-10, Object Level One 05, Object Level Three 5515, OCA Code 447027

Section 2. That the Director of the Department of Development is hereby authorized and directed to remit unspent funds from the Lead Hazard Reduction Demonstration Program, Grant Number OHLHD0174-07 to the U.S. Department of Housing and Urban Development.

Section 3. That for the purpose as stated in Section 2, the expenditure of up to a maximum of \$50,000.00 from the Department of Development, Housing Division, Department No. 44-10, Fund No. 220, Grant 447027, OCA Code 447027, Object Level One 05, Object Level Three 5515, is hereby authorized.

Section 4. That the monies authorized for expenditure in the foregoing Section 2 shall be paid upon order of the Director of the Department of Development to the federal treasury; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 5. The City Auditor is hereby authorized to make accounting entries to closeout grant number 447027.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1760-2010

Drafting Date: 11/23/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Darby Creek Excavating, Inc., in the amount of \$499,082.69; to encumber funds with the Division of Design and Construction for inspection, testing and prevailing wage coordination services in the amount of \$76,500.00; all in connection with the Westside Neighborhood Stormwater System Improvements Project.

The scope of this contract consists of the installation of approximately 3500 feet of 12 to 18 inch storm sewer at nine separate sites on the Westside of Columbus.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened seven (7) bids on November 3, 2010. These bids were received from: Darby Creek Excavating, Inc. - \$499,082.69; Eramo & Sons - \$599,648.52; Conie Construction - \$696,122.42; Columbus Asphalt Paving - \$704,618.13; Danbert, Inc. - \$909,312.48; Trucco Construction - \$965,063.55 and Mark Allard - \$1,270,144.75.

The lowest and best bid was received from Darby Creek Excavating, Inc. for \$499,082.69. Additional information regarding each bidder, description of work, contract timeframe, detailed amounts and sub-contractors can be found on the attached Legislation Information Form.

Contract Compliance Information: 31-1345111, expires 03/05/12, Majority

3. FISCAL IMPACT: There is sufficient cash and authority within the Storm Build America Bonds Fund for this project.

Emergency designation is being requested so that construction can commence at the earliest time available and that there be no interruptions in the project or timelines.

Title

To authorize the Director of Public Utilities to execute a construction contract with Darby Creek Excavating, Inc. for the Westside Neighborhood Stormwater System Improvements Project; to provide for payment of inspection, testing and prevailing wage coordination services to the Division of Design and Construction; to authorize the expenditure of \$575,582.69 within the Storm Build America Bonds Fund for the Division of Sewerage and Drainage, and to declare an emergency. (\$575,582.69)

Body

WHEREAS, seven (7) bid proposals were received and publicly opened in the offices of the Director of Public Utilities on November 3, 2010 for the construction of the Westside Neighborhood Stormwater System Improvements Project; and

WHEREAS, it is the recommendation of the Director of Public Utilities that the contract be awarded to the lowest and best bidder, Darby Creek Excavating, Inc.; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the Westside Neighborhood Stormwater System Improvements Project; and

WHEREAS, this project consists of the installation of approximately 3500 feet of 12 to 18 inch storm sewer at nine separate sites on the Westside of Columbus; and

WHEREAS, it is necessary to authorize the expenditure of funds from the Storm Build America Bonds Fund for aforementioned project; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage to enter into a construction contract with Darby Creek Excavating, Inc. for the Westside Neighborhood Stormwater System Improvements Project, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to enter into contract with Darby Creek Excavating for the immediate preservation of the public health, peace, property and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Westside Neighborhood Stormwater System Improvements Project with the lowest and best bidder, Darby Creek Excavating, Inc., 6790 Brooksmiller Road, Circleville, Ohio 43113; in the amount of \$499,082.69 in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage; and to obtain the necessary inspection, testing and prevailing wage coordination services from the Division of Design and Construction, and to pay up to a maximum amount of \$76,500.00.

SECTION 2. That for the purpose of paying the cost of the construction contract, inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Sewer Bond Fund No. 676, Project 610757-100000, Object Level Three 6621, OCA Code 676757,

Amount \$575,582.69.

SECTION 3. That the said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage.

SECTION 4. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 5. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 7. That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1761-2010

Drafting Date: 11/23/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Purchasing Office has established a Universal Term Contract for Crushed Limestone and Gravel Aggregates with Shelly Materials, Inc. The Division of Power and Water needs to establish a Blanket Purchase Order, based on this current contract, for the purchase of Crushed Limestone and Gravel Aggregates during 2010.

Definition of use for Aggregates

Crushed Limestone and Gravel Aggregates - Repairing Excavation Sites in Water Distribution Maintenance Section

Vendor Contract # Contract Compliance #

Shelly Materials, Inc. (Crushed Limestone and Gravel Aggregates) FL003978 31-1574851

Contract Compliance Exp. Date

Shelly Materials, Inc. January 29, 2012

FISCAL IMPACT: The Division of Power and Water has allocated \$148,500.00 for Gravel in the 2010 Budget.

\$139,613.70 was expended in 2009.

\$174,605.72 was expended in 2008.

Emergency Action is necessary so that a purchase order can be issued as soon as possible. The Division has experienced an inordinate amount of water line breaks in the second half of 2010. Currently the Division is experiencing an average of 80-90 leaks per day, which has depleted the current stockpile of crushed limestone and gravel aggregates. This material is used on a daily basis to repair these excavation sites. We anticipate that the rate of water line repairs will continue to remain high during the winter season. Without this emergency action, it is estimated that new funding could not be established until February 25, 2011.

To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Crushed Limestone and Gravel Aggregates from an established Universal Term Contract with Shelly Materials, Inc. for the Division of Power and Water; to authorize the expenditure of \$25,000.00 from Water Systems Operating Fund; and to declare an emergency. (\$25,000.00)

Body

WHEREAS, the Purchasing Office has established a Universal Term Contract for Crushed Limestone and Gravel Aggregates; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, in that it is immediately necessary to authorize the Finance and Management Director to establish a Blanket Purchase Order for Crushed Limestone and Gravel Aggregates based on the above mentioned Universal Term Contract, in an emergency manner in order to expedite the completion of the purchase order; for the immediate preservation of the public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Finance and Management be and is hereby authorized to establish a Blanket Purchase Order for Crushed Limestone and Gravel Aggregates from a current Universal Term Contract FL003978, for the Division of Power and Water, Department of Public Utilities.

Section 2. That the expenditure of \$25,000.00, or so much thereof as may be needed, be and is hereby authorized from the Water Systems Operating Fund, Fund No. 600, OCA 602730, Object Level One 02, Object Level Three 2197.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1762-2010

Drafting Date: 11/23/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation Through this 2010 MOU both parties agree and acknowledge that all City owned property on the Whittier Peninsula is now included as part of the Premises covered by the Lease with the exception of the Public Utilities Electrical Substation and the Storm Tank Area (Zone D) South of Whittier Street. These properties are outlined on the attached map titled Scioto Audubon Metro Park. The City will continue to operate the Impound Lot until its complete move to a new location targeted for first quarter of 2011. Until the move is completed, the City shall allow Metro Parks reasonable access to the Impound Lot for environmental and facility assessment purposes, and will continue the cooperative relationship enjoyed by the Columbus Police, Department of Public Safety and Metro Parks.

The City hereby leases to Metro Parks the parcel of land that is the current site for the City Impound Lot, including the buildings on this parcel as part of the Premises.

References to the Scioto Audubon Metro Park herein shall include the Premises.

The CITY and Metro Parks agree to execute an Amended and Restated Lease Agreement to reflect the changes set forth in this MOU.

Responsibilities of Metro Parks. Metro Parks agrees to be responsible for the maintenance of all of the signage throughout the Scioto Audubon Metro Park, with the exception of signage owned and maintained by the Audubon Center. This responsibility includes but is not limited to the maintenance of the park identification banner signs that have been affixed to the City utility light poles along Whittier Street. The details regarding the signage responsibilities of Metro Parks are addressed and attached in "exhibit D" titled Banner Agreement and "exhibit E" titled Metro Parks Sign

Maintenance and Responsibilities with the City Recreation and Parks Department.

Metro Parks agrees to continue efforts to acquire additional property on the Whittier Peninsula from other parties, to incorporate into the Scioto Audubon Metro Park, including but not limited to The Bishoff property and the CSX Railroad property.

Metro Parks agrees to continue its leadership role in assessing and providing environmental remediation as designated by the Ohio and United States Environmental Protection Agencies for the Scioto Audubon Metro Park.

Metro Parks shall be responsible for snow removal and maintaining repairing and upkeep of Maier Place from West Whittier north to its terminus.

Responsibilities of the CITY. The City is in the process of constructing a park known as the Scioto Mile, on land along the Scioto River north of Interstate 70, which will be connected by trail to Scioto Audubon Metro Park.

The City will remove the City of Columbus Impound Lot from the Whittier peninsula by January of 2011. The City agrees to be responsible for all costs associated with relocating the Impound Lot.

Permits: Where City permits are required, The CITY agrees to expeditiously process all building and other permits as needed. Metro Parks will include the City, as a co-obligee, on all performance bonds required of contractors.

Grants: The CITY agrees to allow Metro Parks to continue to apply for grant money for City Property, on the City's behalf. The grant money that is sought shall include but not be limited to grants for environmental clean up and the City will aid Metro Parks in obtaining these grants. The City will transfer by quit claim deed the property constituting the Impound Lot, and such surrounding property identified as necessary by Metro Parks and approved by the City, in order to allow Metro Parks to apply for and obtain Clean Ohio funds for the environmental cleanup of the Impound Lot. The deed shall contain a clause reverting title to the City in the event that the property is no longer used for park purposes. Metro Parks shall provide a legal description for the deed at its cost.

Subject to an ordinance of City Council appropriating and authorizing the expenditure thereof and a certificate of the City's Auditor under Section 159 of the City's charter the CITY agrees to reimburse Metro Parks for money spent on environmental remediation on the remaining impound lot property, above and beyond costs that are covered by clean up grants, up to \$300,000.00.

Geothermal Well Field: The City and Metro Parks recognize and acknowledge that the Grange Insurance Audubon Center has constructed a geothermal well field which extends beyond the Center Property under the Sublease with the National Audubon Society and such encroachment shall be permitted under the Lease.

Concurrent Jurisdiction and Mutual Aid: The City formally agrees to a concurrent jurisdiction partnership between Metro Parks and the Columbus Police Department, whereby active patrol by both agencies will continue to throughout the Scioto Audubon Metro Park. The City and Metro Parks acknowledge that all parking lots and roadways on the Peninsula are public and within the jurisdiction of the Columbus Police Department.

As a result of this partnership Metro Parks agrees to reciprocate assistance to the Columbus Police Department if and when needed, within the park and its immediate surroundings when assistance from Metro Parks is practical.

Title

To authorize and direct the Director of Recreation and Parks to execute an Amended and Restated Memorandum of Understanding and an Amended and Restated Lease Agreement with the Columbus and Franklin County Metropolitan Park District for the property known as the Whittier Peninsula; and to declare an emergency.

Body

WHEREAS, The City and The Columbus and Metro Parks entered into a Memorandum of Understanding (MOU) in 2003 and 2006 for the purpose of developing portions of the Whittier Peninsula, including the construction and operation of a state of the art nature center by the National Audubon Society, Inc; and

WHEREAS, due to a variety of factors the original allocation of duties and original master plan have changed and a need exists to update the existing MOU to reflect the realities and current plans for the property; and

WHEREAS, through the cooperation of the City, in terms of acquiring property and reimbursing Metro Parks for costs accrued and through the financial commitment and efforts by Metro Parks in acquiring property, directing

environmental cleanup and in infrastructure and facility development the vision of a vibrant urban park is becoming a reality; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Recreation and Parks, in that it is immediately necessary so that the Metro Park can begin application to Clean Ohio for environmental clean up of the Whittier Peninsula thereby preserving public health, peace, prosperity and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and hereby is authorized to amend and restate the existing Memorandum of Understanding and Lease Agreement with the Columbus and Franklin County Metropolitan Park District for the property known as the Whittier Peninsula.

Section 2. That the Director of Recreation and Parks be and is hereby authorized to execute a quit claim deed to the impound lot and such surrounding contiguous property as is necessary for the environmental clean up to be performed by Metro Parks.

Section 3. That the deed contain a reverter clause if the property is no longer used for park purposes.

Section 4. Except as modified by the 2010 MOU the terms of the MOU shall remain in full force and effect. The original 2003 MOU has been attached as "Exhibit A." The existing updated 2006 MOU has been attached as "Exhibit B."

Section 5. Subject to a future ordinance of City Council appropriating and authorizing the expenditure thereof the City agrees to reimburse Metro Parks for money spent on environmental remediation on the remaining impound lot property, above and beyond costs that are covered by clean up grants, not to exceed \$300,000.00.

Section 6. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1764-2010

Drafting Date: 11/23/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Conie Construction Company, in the amount of \$436,203.60; to encumber funds for the Design and Construction Division for inspection, testing, and prevailing wage coordination services in the amount of \$66,930.00; all in connection with the Olentangy Boulevard/Amazon Place Stormwater Systems Improvements Project.

This project will mitigate street and yard flooding within the following areas in Clintonville: between Rustic Place and Nottingham Road, between Amazon Place and Webster Park and on Milton Avenue between Amazon Place and Webster Park.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened nine (9) bids on November 10, 2010. These bids were received from: Conie Construction Company - \$436,203.60; Eramo & Sons - \$454,812.00; Danbert - \$468,097.20; Elite Excavating - \$475,153.20; Double Z Construction - \$486,002.16; Nickolas Savko & Sons - \$494,082.00; Darby Creek - \$590,801.71; Trucco Construction - \$600,038.40 and Columbus Asphalt - \$604,725.30.

The lowest and best bid was received from Conie Construction Company for \$436,203.60. Additional information

regarding each bidder, description of work, contract timeframe, detailed amounts and sub-contractors can be found on the attached Legislation Information Form.

Contract Compliance Information: 31-0800904, expires 11/16/12, Majority

3. FISCAL IMPACT: Funding for storm sewers is available by transferring cancelled funds from finished projects within the Storm Sewer Bonds Fund. An amendment to the 2010 Capital Improvements Budget is necessary to have sufficient authority for this project. Authority will be created in the appropriate project based upon the monies transferred from cancellations from finished projects.

Emergency legislation is being requested so that construction can commence at the earliest time possible and that there be no interruptions in the project or the timelines.

Title

To authorize the Director of Public Utilities to execute a construction contract with Conie Construction Company; for the Olentangy Boulevard/Amazon Place Stormwater Systems Improvements Project, to provide for payment of inspection, material testing and prevailing wage coordination services to the Design and Construction Division; to authorize the transfer and expenditure of \$503,133.60 within the Storm Sewer Bonds Fund; to amend the 2010 Capital Improvements Budget for the Division of Sewerage and Drainage and to declare an emergency. (\$503,133.60)

Body

WHEREAS, nine (9) bid proposals were received and publicly opened in the offices of the Director of Public Utilities on November 10, 2010 for the construction of the Olentangy Boulevard/Amazon Place Stormwater Systems Improvements Project; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the Olentangy Boulevard/Amazon Place Stormwater Systems Improvements Project; and

WHEREAS, it is necessary to mitigate street and yard flooding within the following areas in Clintonville: between Rustic Place and Nottingham Road, between Amazon Place and Webster Park and on Milton Avenue between Amazon Place and Webster Park; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds within the Storm Sewer Bonds Fund to provide funds in the appropriate project for these expenditures; and

WHEREAS, it is necessary to authorize the expenditure of funds from the Storm Sewer Bonds Fund for aforementioned project; and

WHEREAS, it is necessary to authorize an amendment to the 2010 Capital Improvements Budget for purposes of providing sufficient authority in the appropriate project for these expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to enter into contract with Conie Construction for the immediate preservation of the public health, peace, property and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Olentangy Boulevard/Amazon Place Stormwater Systems Improvements Project with the lowest and best bidder, Conie Construction Company, 1340 Windsor Avenue.; Columbus, Ohio 43211; in the amount of \$436,203.60 in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage;

and to obtain the necessary inspection, testing and prevailing wage coordination services from the Transportation Division; and to pay up to a maximum amount of \$66,930.00.

SECTION 2. That the City Auditor be and is hereby authorized to transfer \$503,133.60 within the Division of Sewerage and Drainage, Division No. 60-15, Storm Sewer Bonds Fund, Fund No. 685, Object Level One-06, Object Level Three-6621 as follows:

TRANSFER FROM:

Fund No. / Project No. / Project Name / OCA Code / Amount

685 / 610722-100000 / Iuka Park SSI / 685722 / \$227,346.96

685 / 610824-100000 / Dry Run Flood Routing @ Valleyview / 685824 / \$63,739.52

685 / 611004-100000 / Huntington Park / 681004 / \$212,047.12

TRANSFER TO:

Fund No. / Project No. / Project Name / OCA Code / Amount

685 / 610738-100000 / Olentangy Boulevard/Amazon Place SSI / 685738 / \$503,133.60

SECTION 3. That the 2010 Capital Improvement Budget, Ordinance 0564-2010 is hereby amended as follows:

Division of Sewerage and Drainage, Division 60-15:

Fund No. / Project No. / Project Name / Current Authority / Revised Authority / Change

685 / 610738-100000 / Olentangy Boulevard/Amazon Place SSI / \$0 / \$503,134 / +\$503,134 (establish authority for cancellation)

SECTION 4. That for the purpose of paying the cost of the construction contract, the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Sewer Bond Fund No. 685, Project 610738-100000, Object Level Three 6621, OCA Code 685738, Amount \$503,133.60.

SECTION 5. That the said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage.

SECTION 6. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 9. That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1767-2010

Drafting Date: 11/23/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Siemens Water Technologies Corporation, for the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project for the Division of Sewerage and Drainage. These digester covers are part of the biogas (methane) handling system at the wastewater treatment plant. This is the third and final phase of a three-part program to rehabilitate five of the covers and six control systems. The existing Dystor digester covers are near the end of their useful lives and are beginning to experience leakage of flammable biogas. The leaks now render the systems inoperable as designed. These improvements are necessary to provide reliability and continued operational performance for this vital treatment process.

The proposed construction contract with Siemens Water Technologies Corporation is for Contract J214. This contract work consists of replacing the Dystor air and gas membrane covers, rehabilitating the concrete structure and piping systems for Digester No. 3, and replacing the Dystor digester cover control system on Digesters Nos. 3 and 4, along with providing training for the plant personnel to operate the new control system.

This ordinance is being submitted in accordance with the provisions of Sole Source procurement of the Columbus City Code Section 329.07.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

B. **Supplier:** Siemens Water Technologies Corporation

C. **Contract Compliance No.:** 04-3063901 | MAJ | (Expires 12/23/2010)

D. **Emergency Designation:** Emergency designation is being requested so that construction can commence at the earliest date possible and that there be no interruptions in the project timeline.

2. **FISCAL IMPACT:**

This ordinance authorizes the appropriation, transfer and expenditure of \$1,224,000.00 from the Sewer System Reserve Fund to the Water Pollution Control Loan Fund to fund this project. This is a temporary measure that is required until such time as the Department is able to execute a WPCLF loan agreement with the Ohio EPA and the Ohio Water Development Authority (OWDA) and reimburse the Sewer System Reserve Fund. The loan award is tentatively scheduled for the December 9, 2010 OWDA board meeting.

Title

To authorize the Director of Public Utilities to enter into a construction contract with Siemens Water Technologies Corporation in accordance with the sole source provisions of the Columbus City Code, in connection with the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project; to authorize the appropriation and transfer of \$1,224,000.00 from the Sanitary Sewer Reserve Fund; to authorize the expenditure of said funds from the Ohio Water Pollution Control Loan Fund for the Division of Sewerage and Drainage and to declare an emergency. (\$1,224,000.00)

Body

WHEREAS, the Division of Sewerage and Drainage has embarked on a program to replace these digester covers and their control systems; and

WHEREAS, the Ohio Water Development Authority (OWDA) is scheduled to approve a loan to the City of Columbus on December 9, 2010, in the amount of \$1,224,000.00 identified as Ohio EPA Loan Number CS390274-0136 to provide financing for the above listed project with eligible costs including the construction contract and contingency; and

WHEREAS, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with Siemens Water Technologies Corporation, in order to provide for construction of Jackson Pike

Wastewater Treatment Plant Digester Cover Rehabilitation project, Contract J214; and

WHEREAS, this ordinance is being submitted pursuant to the sole source provisions of Columbus City Code Section 329, and

WHEREAS, it is immediately necessary to both appropriate funds from the Sanitary Sewer Reserve Fund 654 and to authorize the transfer of said funds into the Water Pollution Loan Fund 666, in order to temporarily fund the construction contract expenditure, until such time as the City is able to execute a WPCLF loan agreement for the above stated purpose and reimburse the Sanitary Sewer Reserve Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project"); and

WHEREAS, the aggregate principal amount which the City will issue to finance this phase of the project is presently expected not to exceed \$1,224,000.00; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Water Pollution Control Loan Fund 666; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to enter into a construction contract with Siemens Water Technologies Corporation for the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project, at the earliest practical date; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to enter into a construction contract with Siemens Corp for the immediate preservation of the public health, peace, property and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be, and hereby is, authorized to enter into a contract with Siemens Water Technologies Corporation, 1901 South Prairie Avenue, Waukesha, Wisconsin 53189, for construction of the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

Section 2. The Ohio Water Development Authority (OWDA) is tentatively scheduled to approve a loan to the City of Columbus on December 9, 2010 to provide financing for the construction contract.

Section 3. That from the unappropriated monies in the Sanitary Sewer Reserve Fund 654, and from all estimated to come into the said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2010, the sum of \$1,224,000.00 is hereby appropriated to the Division of Sewerage and Drainage as follows:

Division 60-05 | Fund 654 | Object Level 10 | Object Level Three 5502 | OCA 901654

Section 4. That the City Auditor is hereby authorized to transfer \$1,224,000.00 to the Ohio Water Development Authority (OWDA) Loan Fund, Fund 666, into the appropriate project accounts as specified with Section 4 herein, at such time as deemed necessary and to expend said funds, or so much thereof as may be necessary

Section 5. That for the purpose of paying the cost of the Ohio Water Development Authority (OWDA) Fund Eligible

Items within the aforementioned contract, the following expenditure, or as much thereof as may be needed, is hereby authorized as follows: Fund No. 666, Dept/Div. No. 60-05, Project: 650250-100003 | OCA Code 662503 | Object Level One 10 | Object Level Three 6630 | Amount \$1,224,000.00.

Section 6. That this ordinance be in compliance with the Sole Source Provisions of Section 329.07 (e) of the Columbus City Codes.

Section 7. That said construction company, Siemens Water Technologies Corporation shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 8. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

Section 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 10. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 11. That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1768-2010

Drafting Date: 11/24/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Neighborhood Design Center is a non-profit, community-based corporation. The City has been funding the Neighborhood Design Center since November 1982 and in conjunction with the Ohio State University since 1986. Since that time, this organization has undertaken work for numerous clients within all the NCR districts. They have provided design assistance to the business associations, their members, and non-members. The Neighborhood Design Center also carries out planning activities as well as assists with financial alternatives.

The City is now asking the Neighborhood Design Center to provide the services listed above as well as façade visioning services and creation of an on line platform for first floor retail in the "Mile on High" district in Downtown Columbus. A minor amount of design assistance may well stimulate investment and create a quality business built upon good design.

This legislation authorizes the expenditure of \$50,000.00 from the General Fund and authorizes the Director of the Department of Development to enter into an agreement with the Neighborhood Design Center for administrative costs associated with the services referenced above.

Emergency action is requested to implement the above activities in a timely manner.

FISCAL IMPACT: The \$50,000.00 for the administrative costs will come from the 2010 General Fund.

Title

To authorize the Director of the Department of Development to enter into an agreement with the Neighborhood Design

Center for administrative costs; to authorize the expenditure of \$50,000.00 from the General Fund; and to declare an emergency. (\$50,000.00)

Body

WHEREAS, the Neighborhood Design Center has been established to promote the role of the architect in the development process, to provide training for architecture students, and to encourage good design in redevelopment; and

WHEREAS, the Neighborhood Design Center also carries out planning activities and provides financial alternatives to businesses; and

WHEREAS, the Department of Development desires to enter into a contract with the Neighborhood Design Center to provide architectural services and related design assistance, planning activities and visioning services and the creation of an on line platform for first floor retail in the "Mile on High" district in Downtown Columbus; and

WHEREAS, emergency action is requested to allow the Neighborhood Design Center to provide design and related services in the "Mile on High" district in a timely manner; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to expend funds for administrative costs associated with the Neighborhood Design Center, all for the immediate preservation of the public health, peace, property, safety and welfare; **NOW, THEREFORE,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized and directed to enter into an administrative contract, with the Neighborhood Design Center for the provision of funds necessary to provide architectural services and related design assistance, planning activities and visioning services and the creation of an on line platform for first floor retail in the "Mile on High" district in Downtown Columbus.

Section 2. That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959 as amended.

Section 3. That for the purpose stated in Section 1, the expenditure of \$50,000.00 or so much thereof as may be necessary from the Department of Development, Economic Development Division, Division 44-02, General Fund, Fund 010, Object Level One 03, Object Level Three 3336, OCA 442030.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1769-2010

Drafting Date: 11/24/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

TechColumbus is a non-profit organization dedicated to providing a catalyst for technology-based economic development in Central Ohio. Once early stage companies reach a critical mass, they will make investments that qualify for more traditional job-based economic development programs. Companies that are fostered in the early stages of technology development programs are often ill prepared to effectively use more traditional job-based economic development

programs. As part of the incubator process, technology companies need to be trained on the fundamentals of job-based economic development incentives.

This legislation authorizes the Director of Development to enter into an agreement with TechColumbus for administrative costs associated with providing training sessions on job-based economic development incentives. This ordinance authorizes the use of \$15,000 of General Funds for that purpose.

Emergency action is requested to start the training sessions in a timely manner.

FISCAL IMPACT:

This legislation authorizes the expenditure of \$15,000 from 2010 General Fund monies.

Title

To authorize the Director of the Department of Development to enter into a contract with TechColumbus for administrative costs associated with providing training sessions on job-based economic development incentives; to authorize the expenditure of \$15,000.00 from the General Fund; and to declare an emergency. (\$15,000.00)

Body

WHEREAS, TechColumbus is a non-profit organization dedicated to providing a catalyst for technology-based economic development in Central Ohio; and

WHEREAS, once early stage companies reach a critical mass, they will make investments that qualify for more traditional job-based economic development programs; and

WHEREAS, companies that are fostered in the early stages of technology development programs are often ill prepared to effectively use more traditional job-based economic development programs; and

WHEREAS, as part of the incubator process, technology companies need to be trained on the fundamentals of job-based economic development incentives; and

WHEREAS, \$15,000.00 in 2010 General Funds is available for TechColumbus to provide training sessions on job-based economic development incentives; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into contract with TechColumbus to start the training sessions in a timely manner, all for the preservation of the public health, peace, property, safety and welfare; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to enter an agreement with TechColumbus for administrative costs associated with providing training sessions on job-based economic development incentives.

Section 2. That for the purpose stated in Section 1, the expenditure of \$15,000 or so much thereof as may be necessary from the Department of Development, Economic Development Division, Division 44-02, General Fund, Fund 010, Object Level One 03, Object Level Three 3336, OCA 442030.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1770-2010

Drafting Date: 11/24/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Diversity Bridge Initiative provides direct programming or a link to the appropriate program for all women/minority business enterprises (W/MBEs) no matter what their business cycle status is - start-up to growth to mature. Our region is a diverse one, and its economic opportunities should be available to all of its diverse business owners. Many larger businesses and organizations in the Columbus region have embraced the philosophy of Diversity Bridge, are committed to contracting with W/MBEs, and would prefer that these contracts be with local businesses.

The Chamber in concert with its partners, serves as the centralized point of contact to assure successful implementation of the programs and activities of The Diversity Bridge Initiative. It is believed, that with the Chamber serving in this role, it will encourage collaboration among the organizations/agencies that service minority businesses, thereby eliminating unnecessary redundancy and enhance service. Through the Diversity Bridge web portal, the Chamber desires to provide more jobs and build wealth in the W/MBE community by creating a more efficient and effective service delivery network; and build capacity within the minority business community.

This legislation authorizes the expenditure of \$50,000.00 from the General Fund and authorizes the Director of the Department of Development to enter into an agreement with the Columbus Chamber for administrative costs associated with the services referenced above.

Emergency action is requested to allow the Diversity Bridge Initiative to continue uninterrupted.

FISCAL IMPACT: The \$50,000.00 for the administrative costs will come from the 2010 General Fund.

Title

To authorize the Director of the Department of Development to enter into an agreement with the Columbus Chamber for administrative costs to continue the Diversity Bridge Initiative; to authorize the expenditure of \$50,000.00 from the General Fund; and to declare an emergency. (\$50,000.00)

Body

WHEREAS, the Diversity Bridge Initiative provides direct programming or a link to the appropriate program for all women/minority business enterprises (W/MBEs) no matter what their business cycle status is - start-up to growth to mature; and

WHEREAS, the Columbus Chamber in concert with its partners, serves as the centralized point of contact to assure successful implementation of the programs and activities of The Diversity Bridge Initiative; and

WHEREAS, through the Diversity Bridge web portal, the Columbus Chamber desires to provide more jobs and build wealth in the W/MBE community by creating a more efficient and effective service delivery network; and build capacity within the minority business community; and

WHEREAS, the Department of Development desires to enter into a contract with the Columbus Chamber to provide administrative costs associated with the Diversity Bridge Initiative; and

WHEREAS, emergency action is requested to allow the Columbus Chamber to continue the Diversity Bridge Initiative uninterrupted; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to expend funds for administrative costs associated with the Columbus Chamber, Diversity Bridge Initiative, all for the immediate preservation of the public health, peace, property, safety and welfare; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized and directed to enter into an administrative contract with the Columbus Chamber in order to continue the Diversity Bridge Initiative.

Section 2. That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959 as amended.

Section 3. That for the purpose stated in Section 1, the expenditure of \$50,000.00 or so much thereof as may be necessary from the Department of Development, Economic Development Division, Division 44-02, General Fund, Fund 010, Object Level One 03, Object Level Three 3336, OCA 442030.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1772-2010

Drafting Date: 11/24/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: Columbus City Council (Council), by Ordinance No. 1110-2004, passed June 28, 2004, authorized the City to enter into an Enterprise Zone Agreement (the Agreement) with Evans, Mechwart, Hambleton & Tilton, Inc. (Enterprise) and Wishbone Partners, LLC (Landlord) for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a \$10M investment in real property improvements by Landlord, a \$1.7M investment in personal property, the relocation and retention of 329 permanent full-time jobs, and the creation of 85 permanent full-time jobs by Enterprise related to a new 100,000 square foot facility to be constructed on portions of parcel numbers 010-220116 and 010-242023 on New Albany Road Columbus, Ohio and within the Columbus North Enterprise Zone. The Agreement was made and entered into to be effective August 19, 2005 (EZA# 393-05-01) and was subsequently authorized by Council to be amended for the first time by Ordinance 0614-2009, passed on May 11, 2009, effective January 1, 2009 that eliminated any and all language from the Agreement that pertained to personal property investment.

The 2009 Columbus Tax Incentive Review Council (TIRC) reviewed the Evans, Mechwart, Hambleton & Tilton, Inc. and Wishbone Partners, LLC Enterprise Zone project on August 18, 2009, and recommended that the Agreement be continued and that City send Enterprise a job creation warning letter and request a meeting with Enterprise to (1) discuss the low payroll situation, (2) discuss likely job creation goals in light of the economy, and (3) amend agreement if need be to reflect revised job numbers. City has met with Enterprise on a number of occasions since the TIRC and each of the three points above have been discussed. Both City and Enterprise have been compliant with the requests of the TIRC. This legislation seeks to authorize amendment of the Agreement to amend the job creation and job retention requirements as set forth in the Agreement, removing specific requirements for the creation and retention of jobs and replacing that with maintaining an overall job level of 235 jobs with a commensurate overall payroll of \$18,270,000, and allowing the jobs

and payroll of any tenants located at the facility to be counted towards these amended job and payroll commitments. It is anticipated that the company will be able to maintain good compliance in future years with the revised overall job level requirement. The terms of the real property tax abatement is not modified by this amendment and is expected to run through 2016.

This legislation is presented as an emergency measure in order for this amendment to be legislated prior to the 2010 TIRC.

FISCAL IMPACT: No funding is required for this legislation.

Title

To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Evans, Mechwart, Hambleton & Tilton, Inc. and Wishbone Partners, LLC; and to declare an emergency.

Body

WHEREAS, the Columbus City Council approved the Enterprise Zone Agreement with Evans, Mechwart, Hambleton & Tilton, Inc. and Wishbone Partners, LLC (the "EZA") on June 28, 2004 by Ordinance No. 1110-2004 and entered into effective August 19, 2005; and

WHEREAS, the EZA grants Evans, Mechwart, Hambleton & Tilton, Inc. and Wishbone Partners, LLC a 75%/10-Year abatement on real and personal property investment; and

WHEREAS, the EZA requires Evans, Mechwart, Hambleton & Tilton, Inc. and Wishbone Partners, LLC to invest \$10M in real property improvements, \$19.5M in personal property, create 85 new full-time jobs, and relocate and retain 329 full-time jobs at a new facility on New Albany Road; and

WHEREAS, the EZA with Evans, Mechwart, Hambleton & Tilton, Inc. and Wishbone Partners, LLC was subsequently authorized by Columbus City Council to be amended for the first time by Ordinance 0614-2009, passed on May 11, 2009, effective January 1, 2009 that eliminated any and all language from the Agreement that pertained to personal property investment; and

WHEREAS, the Tax Incentive Review Council (the "TIRC") met on August 18, 2009 and it was reported then that the project had met the real and personal property investment goals of the EZA but job retention and job creation had fallen short, with 0 jobs created and 273 jobs retained, as of December 31, 2008, compared to the job creation goal of 85 and job retention goal of 329; and

WHEREAS, the TIRC recommended that the EZA be continued and that City send Evans, Mechwart, Hambleton & Tilton, Inc. (Enterprise) a job creation warning letter and request a meeting with Enterprise to (1) discuss the low payroll situation, (2) discuss likely job creation goals in light of the economy, and (3) amend agreement if need be to reflect revised job numbers; and

WHEREAS, an analysis of the Report Year 2009 Annual Report submitted to the City by Enterprise during the most recent reporting cycle indicated that again the project had met the investment goals of the EZA but job retention and job creation continued to be low, with 0 jobs created and 245 jobs retained; and

WHEREAS, as the City and Enterprise have been compliant with the recommendations of the TIRC, the City desires to amend the job creation and retention requirements of the EZA; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on these agreements in order for this amendment to be legislated prior to the 2010 TIRC, and to preserve the public health, property, safety and welfare; **NOW, THEREFORE,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to amend the Evans, Mechwart, Hambleton & Tilton, Inc. and Wishbone Partners, LLC Enterprise Zone Agreement (EZA) to amend the job creation and job retention requirements as set forth in the EZA, removing specific requirements for the creation and retention of jobs and replacing that with maintaining an overall job level of 235 jobs with a commensurate overall payroll of \$18,270,000, and allowing the jobs and payroll of any tenants located at the facility to be counted towards these amended job and payroll commitments.

Section 2. For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

Legislation Number: 1773-2010

Drafting Date: 11/24/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The need exists to amend Ordinance Number 0820-2010, approved by Columbus City Council on June 7, 2010, which authorized the Director of Development to enter into a 75%/10 year Enterprise Zone Agreement with Menard, Inc. Menard Inc. further reviewed the number of full-time employees for the Northland location, and based on the data gathered from their other Ohio stores, decided to reduce the job creation goal from 80 employees to 60 full-time employees.

The property located at 1819 Morse Road is located in the redevelopment known as Northland Village. This area has been considered a priority of the City of Columbus and will help other development projects in the area. Menard, Inc.'s store construction and ongoing operations include numerous common senses "Green Initiatives". They utilize energy efficient panelized construction, skylights, light timers, and a company-wide recycling program.

Menard, Inc., a Wisconsin Corporation, established for the purpose home improvement and building supply materials. During the 1970s and 1980s, Menard opened building supply stores in a five-state area: Wisconsin, Iowa, North and South Dakota, and Minnesota. By 1986, Menards ranked 15th among the top home improvement chains, with estimated sales from the 34 outlets approaching the half billion mark.

FISCAL IMPACT: No funding is required for this legislation.

Title

To amend Ordinance Number 0820-2010 to adjust the terms of an Enterprise Zone Agreement with Menard, Inc. by reducing the job creation goal from 80 employees to 60 full-time employees.

Body

WHEREAS, the need exists to amend Ordinance Number 0820-2010, approved by Columbus City Council on June 7, 2010, which authorized the Director of Development to enter into a 75%/10 year Enterprise Zone Agreement with Menard, Inc.; and

WHEREAS, Menard Inc. further reviewed the number of full-time employees for the Northland location, and based on the data gathered from their other Ohio stores, decided to reduce the job creation goal from 80 employees to 60 full-time employees; and

WHEREAS, Menard, Inc. plans to invest \$6.5 million in real property improvements to build their facility at 1819 Morse Road to accommodate job creation; and

WHEREAS, Menard, Inc. agrees to create 60 new full time permanent jobs; and

WHEREAS, the city desires to enter into such a binding formal agreement in order to foster economic growth; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Ordinance Number 0820-2010 is hereby amended to adjust the terms of an Enterprise Zone Agreement with Menard, Inc. by reducing the job creation goal from 80 full time employees to 60 full time employees.

Section 2. The Enterprise Zone Agreement will be signed by Menard, Inc. within ninety (90) days of passage of this amended ordinance, or this ordinance and the abatements and credits authorized herein are null and void.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1774-2010

Drafting Date: 11/24/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Development Director to enter into an agreement with the ATC Group Services, Inc. for asbestos hazard evaluation services for properties within the Parsons Avenue project. Bids were solicited through Solicitation No. SO 035484. The following five bids were received on October 28, 2010:

ATC Group Services	\$10,695
R3 Inc.	\$10,945
Astar Abatement Inc.	\$11,625
TTL Associates, Inc.	\$15,732
Stantec Consulting	\$17,480

ATC Group Services, Inc. (cc# 46-0399408, expires 2/3/2011) submitted the lowest bid.

Emergency action is requested so that asbestos evaluation services for these structures will not be delayed.

FISCAL IMPACT: Funds are available within the Special Income Tax Fund, Fund 430 for this purpose.

Title

To authorize the Director of the Department of Development to enter into contract with ATC Group Services, Inc. for asbestos hazard evaluation services for properties within the Parsons Avenue project; to authorize the appropriation and transfer of \$10,695.00 from the Special Income Tax Fund to the General Permanent Improvements Fund; to authorize the appropriation and expenditure of \$10,695.00 from the General Permanent Improvements Fund; and to declare an emergency. (\$10,695.00)

Body

Whereas, this legislation authorizes the Development Director to enter into an agreement with the ATC Group Services, Inc. for asbestos hazard evaluation services for properties within the Parsons Avenue project; and

Whereas, bids were solicited through Solicitation No. SO 035484; and

Whereas, a responsive and responsible bid has been received; and

Whereas, it is necessary to enter into contract with ATC Group Services, Inc. for asbestos hazard evaluation services; and

Whereas, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Development Director to enter into contract with ATC Group Services, Inc. to avoid further delays in the progress of the Parsons Ave. project, thereby preserving the public health, peace, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Development Director is authorized to enter into contract with ATC Group Services, Inc. for asbestos hazard evaluation services for properties within the Parsons Avenue project.

Section 2. That the sum of \$10,695.00 or so much thereof as may be necessary, be and is hereby appropriated and authorized to be transferred:

From: Special Income Tax Fund, Fund 430, Division 44-01, Object Level Three 5501, OCA Code 430444

To: General Permanent Improvements Fund, Fund 748, Division 44-01, Object level Three 0886, OCA Code 748415, Project 590415-100003

Section 3. That for the purpose stated in Section 1, the sum of \$10,695.00 or so much thereof as may be necessary, is hereby authorized to be appropriated and expended from the General Permanent Improvement Fund, Fund 748, Division 44-01, Object Level Three 6621, OCA Code 748415, Project 590415-100003.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1778-2010

Drafting Date: 11/24/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Dynamix Engineering, Ltd. for professional architectural and engineering consulting services for the renovation of the ventilation system at the North Market, 59 Spruce Street.

The work shall include design and contract administration for renovation of the heating, ventilating, and air conditioning systems, range hood exhaust and related fire protection systems.

The Office of Construction Management solicited Requests for Statements of Qualifications (RFSQ), due back on August

25, 2010. The City received eight (8) proposals from the following firms (1, *FBE, 1, ^MBE): Teng and Associates, Inc., Star, Heapy Engineering, Karpinski Engineering, Kramer, Korda/Nemeth Engineering, Inc., ^Dynamix, and *Advanced Engineering Consultants, Ltd.

A three-person committee evaluated the proposals, consisting of two members from the Office of Construction Management and one member from the North Market. Dynamix Engineering, Ltd. scored well in understanding the project, competence to perform, and past performance.

Dynamix Engineering, Ltd. Contract Compliance No. 31-1536631, expiration date November 26, 2010.

Fiscal Impact: This project is funded in the 2010 Capital Improvements Budget. The total cost of this contract is \$136,7200.00.

Title

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Dynamix Engineering, Ltd. for professional architectural and engineering consulting services for the renovation of the ventilation system at the North Market, 59 Spruce Street; and to authorize the expenditure of \$136,720.00 from the Construction Management Capital Improvement Fund. (\$136,720.00)

Body

WHEREAS, it is necessary to contract with an engineering firm for professional architectural engineering and interior design services to produce a complete set of bid documents for the renovation of the ventilation system at the North Market, 59 Spruce Street; and

WHEREAS, the Office of Construction Management advertised Requests for Statements of Qualifications (RFSQ) on August 25, 2010; and

WHEREAS, a three-person evaluation committee recommended Dynamix Engineering, Ltd. as the most qualified firm; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance and Management Director is hereby authorized to enter into a contract on behalf of the Office of Construction Management with Dynamix Engineering, Ltd. for professional architectural and engineering consulting services for the renovation of the ventilation system at the North Market, 59 Spruce Street.

SECTION 2. That the expenditure of \$136,720.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved to and approved as follows:

Division: 45-27
Fund: 733
Project: 570045-100000
OCA Code: 733045
Object Level: 06
Object Level 3: 6620
Amount \$136,720.00

SECTION 3. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1779-2010

Drafting Date: 11/24/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND

The Department of Public Service, Keep Columbus Beautiful (KCP) program as an affiliate member in good standing

received a grant sponsored by Keep America Beautiful, Incorporated (KAB), and the 2010 Rumpke Cincinnati Reds Clean-up Hitter program. The grant is designed to encourage local solutions that showcase environmental stewardship, and show evidence of sustainability of the Keep Columbus Beautiful mission. Grants of \$1,000.00 were awarded to Keep America Beautiful affiliates throughout the Rumpke service region in Ohio.

Keep Columbus Beautiful is requesting acceptance of an award of the \$1,000.00 grant to be used for the overall mission of community improvement for the City of Columbus and its neighborhoods. This legislation authorizes the Director of Public Service to formally accept this grant.

This legislation also authorizes the appropriation of \$1,000.00 from the unappropriated balance of the Keep Columbus Beautiful donations within the private grant fund. The appropriated funds will be used to provide supplies for the overall mission of community improvement for the City of Columbus and its neighborhoods.

2. FISCAL IMPACT

This ordinance authorizes the appropriation of \$1,000.00 within the private grant fund for Keep Columbus Beautiful.

3. EMERGENCY DESIGNATION

Emergency action is requested to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

Title To authorize the Director of Public Service to accept a grant in the amount of \$1,000.00 sponsored by Keep America Beautiful, Incorporated; to authorize the appropriation of \$1,000.00 from the unappropriated balance of the private grant fund for the Division of Refuse Collection, to provide funding for the Keep Columbus Beautiful program; and to declare an emergency. (\$1,000.00)

Body **WHEREAS**, the Keep Columbus Beautiful program receives donations from time to time from various sources, and

WHEREAS, the Keep Columbus Beautiful (KCB) program is eligible to accept a donation sponsored by Keep America Beautiful, Incorporated (KAB), from a program named the 2010 Rumpke Cincinnati Reds Clean-up Hitter program, and

WHEREAS, it is necessary to accept and appropriate said funds within the Division of Refuse Collection, Keep Columbus Beautiful program, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Refuse Collection, in that it is immediately necessary to appropriate said funds for the immediate preservation of the public health, peace, property, safety, and welfare; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be and hereby is authorized to accept a Keep America Beautiful, Incorporated grant for the 2010 Rumpke Cincinnati Reds Clean-up Hitter program.

SECTION 2. That from the unallocated monies in the private grant fund, 291, and from any and all sources unallocated for any other purpose during the fiscal year ending December 31, 2011, the sum of \$1,000.00 be and hereby is appropriated to the Department of Public Service, Division of Refuse Collection 5902, OCA Code 591095, Object Level One - 02, Object Level Three - 2290.

SECTION 3. That the monies appropriated in the foregoing SECTION 2 shall be paid upon the order of Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1780-2010

Drafting Date: 11/24/2010

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Rezoning Application Z10-005

APPLICANT: Menard, Inc., a Wisconsin Corporation; 5101 Menard Drive; Eau Claire, WI 54703.

PROPOSED USE: Building materials supply dealer and commercial uses.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-1) on November 11, 2010.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The proposed Commercial Planned Development District will allow retail and office development which is appropriate and consistent with the development and zoning pattern in the area. The zoning and development trend along this portion of East Broad Street over the last ten years has been almost exclusively commercial or residential in nature. The submitted CPD text and site plan provide appropriate development standards including landscaping, buffering, building design and pedestrian circulation.

Title

To rezone **6698 EAST BROAD STREET (43213)**, being 30± acres located at the northeast corner of East Broad Street and Brice Road, **From:** M-2, Manufacturing District, **To:** CPD, Commercial Planned Development District. (Rezoning # Z10-005)

Body

WHEREAS, application #Z10-005 is on file with the Department of Building and Zoning Services requesting rezoning of 30± acres from the M-2, Manufacturing District to the CPD, Commercial Planned Development District; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features and recognizes this development has a Pedestrian connection from East Broad Street to the building in Subarea 2 and centrally located bike racks for residents, employees or visitors that ride their bike by choice or because of limited alternatives; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval because the proposed Commercial Planned Development District will allow retail and office development which is appropriate and consistent with the development and zoning pattern in the area. The zoning and development trend along this portion of East Broad Street over the last ten years has been almost exclusively commercial or residential in nature. The submitted CPD text and site plan provide appropriate development standards including landscaping, buffering, building design and pedestrian circulation.
; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

6698 EAST BROAD STREET (43213), being 30± acres located at the northeast corner of East Broad Street and Brice Road, and being more particularly described as follows:

Part of Quarter Township 3, Township 1, Range 16, United State Military Lands and being all of Lot 1 of Columbus Industrial Park as recorded in Plat Book 48, Page 79 (Parcel No. 010-165722) and conveyed to Columbus Corporate Center, Inc., by Deed Volume 3477, Page 518 and being all of two 0.50 acre tracts (Parcel No. 010-121090 and Parcel No. 010-121094) conveyed to Columbus Corporate Center, Inc., by Deed No. 05159H0 6 (all references to deed books, official records, deed numbers, survey records and plats refer to the Franklin County Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning at the northeast corner of said Lot 1, thence along the east line of said Lot 1 and the east line of said 0.50 acre tract (Parcel No. 010-121094) South 04°15'25" West, 1071.75 feet to the southeast corner of said 0.50 acre tract and being on the centerline of East Broad Street;

thence along said centerline South 81°48'00" West, 211.09 feet to the southwest corner of said 0.50 acre tract (Parcel No. 010-121090);

thence along the west line of said 0.50 acre tract (Parcel No. 010-121090) North 04°15'25" East, 88.07 feet to the south right-of-way line of East Broad Street;

thence along said right-of-way line the following three (3) courses;

- 1) South 87°42'36" West, 184.54 feet;
- 2) 81°48'00" West, 1073.09 feet;
- 3) South 53°12'00" West, 42.43 feet to the east right-of-way line of Brice Road;

thence along said right-of-way line the following three (3) courses;

- 1) North 08°12'00" West, 92.00 feet;
- 2) along a curve to the right with an arc length of 1147.38 feet , a radius of 760.00 feet, a delta angle of 86° 30'00", a chord bearing and distance of North 35°03'00" East, 1041.48 feet;
- 3) North 78°18'00" East, 998.18 feet to the point of beginning containing 30.733 acres (1338749 square footage)

The basis of bearings is the east line of Lot (South 04°15'25" West) of Columbus Industrial Park as recorded in Plat Books 48, Page 79.

To Rezone From: M-2, Manufacturing District,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**MENARDS COLUMBUS OHIO SITE PLAN PROPOSAL**", "**MENARDS COLUMBUS OHIO SITE PLAN DETAILS**", "**MENARDS COLUMBUS OHIO BUILDING ELEVATION PROPOSAL**," and "**MENARDS COLUMBUS OHIO DETAIL VIEWS**," all signed by Thomas O' Neil, Agent for the Applicant, and dated November 24, 2010 and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," signed by Thomas O' Neil, Agent for the Applicant, and dated November 29, 2010, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICTS: Commercial Planned Development (CPD)
PROPERTY ADDRESS: 6698 East Broad Street
OWNER: Columbus Corporate Center, Inc., an Ohio corporation
APPLICANT: Menard, Inc., a Wisconsin corporation
DATE OF TEXT: 11/29/10
APPLICATION NUMBER: Z10-005

INTRODUCTION

The subject area is being divided into subareas to reflect zoning classifications and standards, which are thought to be appropriate for each subarea. The development will occur over an extended period of time and it will be necessary from time to time to modify the development standards and to provide for additional uses which could not be foreseen but are compatible with the uses allowed in each subarea. The development of Subarea I is planned as a Menards home improvement and building materials supply dealer, with said development of Menards at Columbus Corporate Center coinciding with the development of Menards at Northland Village.

Any subarea may be the subject of a rezoning application filed with the City of Columbus and nothing contained herein shall prevent the current or future owners of the property from filing and processing a rezoning application on any subarea.

The applicable development requirements contained in this text shall not apply to the subarea until the time of development of that subarea.

SUBAREA I - 21.36+/- ACRES

1. **PERMITTED USES:** The following uses shall be permitted within Subarea I: Those uses listed in Chapter 3356 (C-4, Commercial District).

2. **DEVELOPMENT STANDARDS:** Except as otherwise noted above herein, the applicable development standards of Chapter 3356, C-4, Commercial District shall apply to Subarea I.

A. Density, Height, Lot and/or Setback commitments.

1. Setback from East Broad Street shall be twenty-five (25) feet for all parking, loading and maneuvering areas and eighty (80) feet for buildings. At the time of this zoning, the City has informed the developer it eventually plans to widen East Broad Street along the Subarea I frontage. The current East Broad Street right-of-way is not uniform in front of Subarea I and in some areas is less than the eighty (80) feet from the centerline that is necessary for the future proposed widening. At the time of site compliance plan approval, the developer shall provide the additional right-of-way necessary to achieve the requisite eighty (80) foot right-of-way. At such time as the Subarea I developer provides the additional right-of-way, the setback from East Broad Street shall become ten (10) feet for all parking, loading and maneuvering areas and sixty-five (65) feet for buildings.

2. Setback from Brice Road shall be ten (10) feet for all parking, loading and maneuvering areas and thirty (30) feet for buildings.

3. Setback from east property line of Subarea I shall be twenty (20) feet for parking, loading and maneuvering areas and fifty (50) feet for buildings.

4. Setback from the floodway area on the west side of Subarea I, beginning approximately seventy-five (75) feet north of the East Broad Street right-of-way line, shall be at least ten (10) feet for the north-south connector drive on the west side of Subarea I. The north-south connector drive on the west side of Subarea I may encroach upon the floodway areas within seventy-five (75) feet of the East Broad Street right-of-way line where the north-south connector drive intersects with East Broad Street in order to align with Rose Hill Road for traffic safety reasons, and in the area where the proposed roadway connection / bridge between Subareas I and II may eventually be constructed. Setback from the floodway area in Subarea

I shall be fifty (50) feet for buildings. The existing vegetation within the existing floodway west of the north-south connector drive shall remain to further buffer this area. However, the existing vegetation in the floodway within seventy-five (75) feet of the East Broad Street right-of-way line may be removed or modified to allow for construction of the Rosehill Road/East Broad Street access point provided vegetation in the disturbed portion of the floodway is restored after completion of construction activities. The existing vegetation may also be removed or modified to allow for construction of the future roadway connection between Subareas I and II provided vegetation in the disturbed portion of the floodway is restored after completion of construction activities.

5. Setbacks from the floodway area on the west side of Subarea I, beginning approximately seventy-five (75) feet north of the East Broad Street right-of-way line, shall be the City approved Stream Corridor Protection Zone (SCPZ) where the SCPZ boundary is greater than the standard setback distances required in above paragraph 4, as such SCPZ boundary is illustrated and documented in the attached Exhibit A. Exhibit A contains the site plan showing the Subarea I SCPZ boundary and related documentation as approved by the City of Columbus.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. Access to East Broad Street shall be by one signalized intersection opposite Rose Hill Road.
2. Access to Brice Road shall be by one intersection opposite McCormick Boulevard and by one secondary curb cut on the Brice Road connection, to be established pursuant to the final Menards site plan.
3. There shall be established a north-south connector drive with two (2) through lanes and appropriate left turn lanes. This road is defined on the east by a stormwater detention area and a curbed landscape island adjacent to the Menards store improvements.
4. A bike rack will be installed adjacent to the building in Subarea I.
5. Upon development of Subarea I, the developer shall make the following roadway improvements:
 - a. Construct Brice Road as a public street from the existing western terminus to the intersection of Brice Road and McCormick Boulevard. Such improvement shall include installation of an eastbound left turn lane with a length of 150 feet at the intersection of Brice Road and McCormick Boulevard.
 - b. Install a westbound right turn lane with a length of 617 feet at the intersection of East Broad Street and Rosehill Road.
 - c. Install an eastbound left turn lane with a length of 617 feet at the intersection of East Broad Street and Rosehill Road, subject to the review and approval of the Division of Planning and Operations.
 - d. The developer shall make intersection improvements to the north and south legs of the intersection of East Broad Street and Rosehill Road. These improvements shall modify the existing lane configuration of the south leg of this intersection such that one northbound left turn lane, one northbound through-right turn lane and one right turn lane are provided. The northbound left and southbound left turn movements shall be aligned such that these turning movements can be made concurrently. Split phasing of the northbound and southbound movements at this intersection shall not be permitted.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. Loading dock areas and the trash compactors shall be screened with a treated lumber pallet racking structure surrounding the lumberyard area.
2. A street tree row shall be established along East Broad Street containing a minimum of fifteen (15) deciduous trees planted at a maximum of forty (40) feet on center. Such trees shall be a minimum of two and one half (2 ½) inches in caliper.
3. Any surface parking lot adjacent to East Broad Street shall be screened from its right of way with a three (3) foot high continuous shrub row.

4. The minimum size of all trees at installation shall be two and one half (2 ½) inch caliper for deciduous trees, one and one half (1 ½) inches or six (6) feet high for ornamental trees, and six (6) feet high for evergreen trees.
5. All landscape materials within Subarea I shall be planted with development of the subarea and shall be maintained in a healthy fashion. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
6. The developer shall install a mixture of evergreen and deciduous trees along the length of the treated lumber pallet racking outside the right-of-way of Brice Road. These trees shall be planted in several clusters in order to provide a series of visual interruptions along the length of the treated lumber pallet racking.
7. The developer shall grant to the City a Conservation Easement over the floodway after completion of the Rosehill Road/East Broad Street access point. Said easement shall be subject to one (1) future driveway crossing, any necessary utility crossings (present or future), and any other governmental requirements.
8. The developer shall preserve a ten (10) foot conservation area along the entire length of the Subarea I east property line. The existing vegetation within the ten (10) foot conservation area shall not be disturbed. West of the ten (10) foot conservation area, the developer shall install the following screening features: Beginning approximately thirty (30) feet north of the East Broad Street right-of-way line, the developer shall install a six (6) foot tall wood fence approximately ten (10) feet west of the eastern boundary of Subarea I. Such fence shall run north approximately four hundred seventy five (475) feet from its southern starting point. From the northern termination point of the six (6) foot tall fence, the developer shall construct a landscaped mound of varying height. Such berm shall run north approximately four hundred twenty five (425) feet beyond the northern termination of the six (6) foot tall fence. This section of berm shall average between six (6) and nine (9) feet in height prior to descending to match into the existing grades adjacent to Brice Road.

D. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. Buildings and landscaping may be up lit or down lit provided that such lighting does not spill over into the public right of way or the residential property to the east. Pedestrian friendly decorative lighting shall be permitted on the south elevation of the garden center located on the west side of the Menards building.
2. Outdoor display areas shall include a propane tank display and sales area in front of the building, (provided however that four (4) feet of sidewalk shall remain available to pedestrians), and a trailer display and sales area of approximately 2,000 square feet in size. The trailer display and sales area shall lie within the parking field. No additional parking spaces shall be required for this outdoor display area.
3. All light poles shall be black in color (above any base) and the poles shall be constructed of metal.

E. Graphics and Signage commitments.

1. All signage and graphics shall conform to the Columbus City Code or a Graphics Plan shall be submitted for approval by the Columbus Graphics Commission.

F. Floodplain Development.

1. That portion of the north-south connector drive constructed in the floodway adjacent to Rose Hill Road shall be a specifically allowed activity within the floodway pursuant to Section 3385.07 C., and shall be reviewed and approved for certificate of zoning clearance issuance in accordance with those activities not resulting in an increase in base flood elevations pursuant to Section 3385.08 B.
2. The proposed roadway connection / bridge to be constructed in the floodway connecting Subareas I and II shall be a specifically allowed activity within the floodway pursuant to Section 3385.07 C., and shall be reviewed and approved for certificate of zoning clearance issuance in accordance with Section 3385.08 B and C (as applicable).

G. Miscellaneous Commitments.

1. The Subject Site shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.
2. The Building shall be developed in accordance with the submitted building elevation plan. The building elevations may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the elevations shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.
3. The developer shall provide pedestrian access from East Broad Street to the front of the building.

SUBAREA II - 8.96+/- ACRES

1. PERMITTED USES: The following uses shall be permitted within Subarea II: Those uses listed in Chapter 3356 (C-4, Commercial District) and in Chapter 3357 (C-5, commercial district).
2. DEVELOPMENT STANDARDS: Except as otherwise noted above herein, the applicable development standards of Chapter 3356, C-4, Commercial District shall apply to Subarea II.

A. Density, Height, Lot and/or Setback commitments.

1. Setback from East Broad Street shall be twenty-five (25) feet for all parking, loading, and maneuvering, and fifty (50) feet for buildings.
2. Setback from Brice Road shall be ten (10) feet for all parking, loading and maneuvering areas and twenty-five (25) feet for buildings.
3. Setback from the floodway line on the east side of Subarea II shall be five (5) feet for parking, loading, and maneuvering areas and ten (10) feet for buildings. Setback shall extend to the City designated Stream Corridor Protection Zone (SCPZ) where the SCPZ boundary is greater than the standard setback distances required by this paragraph, as such SCPZ boundary is illustrated and documented in the attached Exhibit A . Exhibit A contains the site plan showing the Subarea II SCPZ boundary and related documentation as approved by the City of Columbus.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. Access to Subarea II shall be established via a maximum of three (3) curb cuts on Brice Road.
2. The proposed connector drive between Subarea I and Subarea II shall be built upon development of Subarea II.
3. A pedestrian connection will be provided from East Broad Street to uses in Subarea II.
4. A bike rack will be installed for each building in Subarea II.
5. Upon development of Subarea II, the developer shall make the following roadway improvements:
 - a. Lengthen the southbound left turn lane at the intersection of East Broad Street and Brice Road to a length of 350 feet.
 - b. Construct an eastbound right turn lane with a length of 617 feet at the intersection of East Broad Street and Rosehill Road.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. Loading dock areas and the trash compacters shall be screened with a masonry wall to be built utilizing the same materials as the main building with a wood gate on the fourth side.
2. A street tree row shall be established along East Broad Street containing a minimum of ten (10) deciduous trees planted at a maximum of forty (40) feet on center. Such trees shall be a minimum of two and one half (2 ½) inch caliper.
3. The minimum size of all trees at installation shall be two and one half (2 ½) inch caliper for deciduous trees, one and one half (1 ½) inch or six (6) feet high for ornamental trees, and six (6) feet high for evergreen trees.
4. All landscape materials shall be planted with development of the respective Subarea and/or portion within the Subarea and maintained in a healthy fashion. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
5. The Developer shall grant to the City a Conservation Easement over the floodway after completion of construction of the Rosehill Road/East Broad Street access point. Said easement shall be subject to one (1) future driveway crossing, any necessary utility crossings (present or future), and any other governmental requirements.
6. Any site work required to accommodate the stream corridor protection zone and development of Subarea I will be undertaken in conjunction with the development of Subarea I. The developer will revegetate impacted areas in Subarea II along Utzinger Ditch within the proposed stream corridor protection zone limits. The revegetation plan will consist of planting trees and herbaceous plant material typical of wetlands and be designed to recreate the natural beneficial functions of this area prior to construction. Final details of the revegetation plan to be mutually agreed upon by the developer and City of Columbus Department of Recreation and Parks. This work shall not constitute development of Subarea II.

D. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. Buildings and landscaping may be up lit or down lit provided that such lighting does not spill over into the public right of way.
2. Outdoor display area shall include the sidewalk area in front of the buildings, provided however that four (4) feet of sidewalk shall remain available to pedestrians. No additional parking spaces shall be required for this outdoor display area.
3. All light poles shall be black in color (above any base) and the poles shall be constructed of metal.

E. Graphics and Signage commitments.

1. All signage and graphics shall conform to the Columbus City Code, as it applies to the C-4 and C-5 commercial district classifications, or any Graphics Plan for Subarea II approved by the Columbus Graphics Commission. Any variance to those standards shall be submitted to the Columbus Graphics Commission.

F. Floodplain Development.

1. The proposed roadway connection / bridge to be constructed in the floodway connecting Subareas I and II shall be a specifically allowed activity within the floodway pursuant to Section 3385.07 C., and shall be reviewed and approved for certificate of zoning clearance issuance in accordance with Section 3385.08 B and C (as applicable).

CPD CRITERIA WHICH APPLIES TO BOTH SUBAREA I AND II

1. NATURAL ENVIRONMENT:

The site is undeveloped.

2. EXISTING LAND USES:

To the north across Brice Road industrial development; to the east multi-family development; to the west across Brice Road: commercial development and to the south across East Broad Street commercial and multi-family development.

3. TRANSPORTATION AND CIRCULATION:

Access to the site shall be via East Broad Street and Brice Road.

4. VISUAL FORM OF THE DEVELOPMENT:

The site shall be developed in accordance with the zoning text.

5. VIEW AND VISIBILITY:

In the development of the subject property and the location of the buildings and access points consideration has been given to the visibility and safety of the motorists and pedestrians.

6. PROPOSED DEVELOPMENT:

Commercial as permitted under this text.

7. EMISSIONS:

No adverse affects from emissions shall result from the proposed development.

8. BEHAVIOR PATTERNS:

The proposed development would serve the growing Columbus residential population as well as the motorists who use East Broad Street to get to their place of employment.

VARIANCES REQUESTED WITH RESPECT TO EITHER SUBAREA I OR II

- A. To reduce the building setback on East Broad Street from 80 to 50 feet within Subarea II.
- B. To reduce the minimum amount of parking otherwise required by code to 410 parking spaces within Subarea I.
- C. To eliminate the 5' parking lot screening otherwise required by code within Subarea I.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1781-2010

Drafting Date: 11/24/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation Bids were received by the Recreation and Parks Department Golf Division on November 24, 2010 for 198 Golf Riding Cars as follows:

Company	Amount	Status	
Lake Erie Golf Cars, LLC	650,400.00	MAJ	
Mid Ohio Golf Car	733,824.00	MAJ	
Century	No Bid		

Lake Erie Golf Cars, LLC
26565 Miles Road, Suite 200
Warrensville Heights, Ohio 44128
Local Rep: Danny Hayes
614-808-5735
341880513 (expires 11-29-2012)

Benefits to Public:

The Columbus Recreation and Parks Golf Division is a special revenue fund that is self-sustaining. The rental of golf riding cars provides income to Golf's operating fund while providing a necessary service for our golfers with no additional expense to our operations. Lake Erie Golf Cars, LLC is not on the State of Ohio Findings for Recovery Database.

Emergency Justification:

Emergency legislation is requested to assure timely processing of the lease with regard to delivery of the golf riding cars so as not to impact the 2011 golfing season.

Financial Impact:

Identified by future legislation, not to exceed \$650,400.00.

TitleTo authorize and direct the Director of the Recreation and Parks Department to enter into a lease agreement with Lake Erie Golf Cars, LLC for 198 golf cars for Airport, Mentel and Champions Golf Courses to receive 66 golf riding cars each; and to declare an emergency

Body**WHEREAS**, bids were received by the Columbus Recreation and Parks Department Golf Division on November 24, 2010, and the contract will be awarded on the basis of lowest and most responsive bidder; and

WHEREAS, the lease is for 66 golf riding cars each for Airport, Mentel and Champions Golf Courses and includes three cars specially adapted for those with physical disabilities; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Recreation and Parks in that it is immediately necessary to contract with Lake Erie Golf Cars, LLC to insure timely delivery of the golf riding cars so as not to impact the 2011 golfing season; **NOW, THEREFORE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the director of Recreation and Parks be and is hereby authorized to enter into contract with Lake Erie Golf Cars, LLC for 198 golf riding cars.

SECTION 2. The term of the lease is for five years beginning January 1, 2011 and expiring December 31, 2015.

SECTION 3. The total cost of the five-year lease will not exceed \$650,400.00.

SECTION 4. Payment for each year of the lease is subject to City Council approval and a yearly purchase order certified by the Auditor's Office for one year at a time.

SECTION 5. That future legislation will be presented to Council to approve eight (8) lease payments per year, April through November of each year, beginning April 2011.

SECTION 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this legislation.

SECTION 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval

by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1782-2010

Drafting Date: 11/26/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Finance and Management Director to modify Contract FL004622 - Multi-function Devices (MFDs) UTC, with the Gordon Flesch Company Inc., to provide for fax control modem kits and any associated installation and maintenance associated with the fax components. Police has approximately forty locations that need FAX capability. Since the current MFDs can handle faxing, it makes economic sense to add the FAX component to the devices rather than provide each location a new FAX machine. The current UTC contract with Gordon Flesch Company is a three (3) year lease with an option to purchase an additional two (2) more years of maintenance services. This legislation also authorizes the Finance and Management Director to issue a purchase order for these fax accessories from the modified contract.

There is no cost associated with the contract modification as this is a UTC. The additional FAX kits will cost \$19,967.00.

The original bid specifications called for fax capability to be available on each device for use with a computer network, but the fax capability was not authorized under the UTC contract with Gordon Flesch. It is impractical to bid and contract with any other company at this time as there is a current contract for these services. The cost for the purchase of this accessory and associated costs was negotiated with the Gordon Flesch Company, Inc.

Emergency action is requested in order that faxing can be accomplished at each device and operations may continue without interruption.

Contract Compliance Number: 390993125, expires 11/25/10

FISCAL IMPACT: This ordinance authorizes an expenditure of \$19,967.00 from the General Fund for the Division of Police in order to have fax capabilities at various locations throughout the Division. Based upon the third quarter financial review, there is sufficient funding available in the Division's supplies budget.

TitleTo authorize the Director of Finance and Management to modify an existing contract with the Gordon Flesch Company, Inc. for the addition of fax control modules to the Multi-functional Devices (MFDs) UTC for the Division of Police; to authorize the Finance and Management Director to issue a purchase order in the amount of \$19,967.00 from the General Fund to the Gordon Flesch Company, Inc. to waive the competitive bidding provisions of of the Columbus City Codes; and to declare an emergency. (\$19,967.00)

Body

WHEREAS, faxing needs to be available on the multi-functional devices (MFDs) without the use of a fax server through the term of the existing contract; and

WHEREAS, Contract Number FL004622, with the Gordon Flesch Company, Inc., was authorized by Ordinance Number 0596-2010 which passed May 10, 2010, for a Multi-functional Devices (MFDs) UTC, and

WHEREAS, due to a decision change it is necessary to modify the existing contract and approve the purchase of the fax accessories from the modified contract, and

WHEREAS, emergency action is necessary to provide essential services that are critical to the daily operation of the division; and

WHEREAS, this is being submitted in accordance with section 329.27; to waive section 329.06 of the Columbus City Code; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Police, in that it is immediately necessary to modify the current contract and authorize the purchase of fax accessories for the preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Finance and Management be and is hereby authorized to modify Contract Number FL004622 with the Gordon Flesch Company, Inc. for the addition of fax accessories and issue a purchase order for these fax accessories, in the amount of \$19,967.00.

SECTION 2. That in accordance with Section 329.27 of the Columbus City Code, this Council finds the best interest of the City is served by waiving, and does hereby waive Section 329.06 (Competitive Sealed Bidding, the procurement of materials, supplies and equipment) of the Columbus City Code.

SECTION 3. That to pay the cost of the aforesaid purchase, the expenditure of \$19,967.00, or so much thereof as may be needed, is hereby authorized as follows:

|Fund 010| Dept. 30-03| Obj. Level 1 (02)| Obj. Level 3 (2245)| OCA 300301|

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor disapproves the same.

Legislation Number: 1783-2010

Drafting Date: 11/26/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The City of Columbus, Department of Public Service and Department of Public Utilities are engaged in the UIRF - Holtzman/Main roadway and sewer improvement project. This project will construct a new storm sewer system from Nelson Road along Rich Street and connecting alleys east to Alum Creek. Rich Street and a portion of Holtzman Avenue will be resurfaced and the three connecting alleys will be reconstructed.

The anticipated project schedule for construction begins on 1/31/2011 and ends on 6/24/2011.

This legislation authorizes the Director of Public Service to enter into contract for the construction of this project and provides funding for construction inspection.

The estimated Notice to Proceed date is February 7, 2011. The project was let by the Office of Support Services through vendor services. 5 bids were opened on November 16, 2010 (9 majority, 0 minority) and tabulated on November 17, 2010 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Columbus Asphalt Paving, Inc.	\$562,663.09	Gahanna, OH	Majority
Conie Construction Company	\$592,794.07	Columbus, OH	Majority
Darby Creek Excavating	\$596,551.83	Circleville, OH	Majority
Elite Excavating Co. of Ohio, Inc.	\$619,417.60	Ontario, OH	Majority
Trucco Construction Co. Inc.	\$629,430.65	Delaware, OH	Majority
Danbert, Inc.	\$634,758.20	Plain City, OH	Majority
Complete General Construction Co.	\$652,663.07	Columbus, OH	Majority
Double Z Construction	\$654,708.23	Columbus, OH	Majority
John Eramo & Sons, Inc.	\$665,263.50	Hilliard, OH	Majority

Award is to be made to Columbus Asphalt Paving, Inc., as the lowest, best, most responsive and most responsible bidder.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Columbus Asphalt Paving, Inc.

2. CONTRACT COMPLIANCE

Columbus Asphalt Paving, Inc's contract compliance number is 310857095 and expires 1/12/12.

3. FISCAL IMPACT

This project is budgeted within the 2010 Capital Improvement Budget. This is a joint project with the Department of Public Service and the Department of Public Utilities. Funding in the amount of \$351,456.03 for the Department of Public Service will come from the Build America Bonds fund.

Funding in the amount of \$295,606.52 for the Department of Public Utilities will come from the Storm Sewer Bond Fund. A transfer of funds within the Storm Sewer Bond Fund will be necessary, as well as an amendment to the 2010 Capital Improvements Budget.

TitleTo authorize the Director of Public Service to enter into a contract in the amount of \$562,663.09 with Columbus Asphalt Paving, Inc, for construction of the UIRF - Holtzman/Main roadway and sewer improvement project for the Division of Design and Construction; to provide for construction inspection costs in the amount of \$84,399.46; to authorize the expenditure of \$351,456.03 from the Build America Bonds Fund for the Department of Public Service; to authorize a transfer and expenditure of \$295,606.52 within the Storm Sewer Bond Fund, for the Department of Public Utilities; and to amend the 2010 Capital Improvements Budget. (\$647,062.55)

Body**WHEREAS**, bids were received on November 16, 2010, and tabulated on November 17, 2010, for the UIRF - Holtzman/Main roadway and sewer improvement project and a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction inspection costs; now, therefore

WHEREAS, it is necessary for this Council to authorize the transfer within and expenditure of funds from the Storm Sewer Bond Fund, for the Division of Sewerage and Drainage, and

WHEREAS, it is necessary to authorize an amendment to the 2010 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be and is hereby authorized to enter into a contract with Columbus Asphalt Paving, Inc, 1196 Technology Drive, Gahanna, OH, 43230, for the construction of the UIRF - Holtzman/Main roadway and sewer improvement project in the amount of \$562,663.09, in accordance with the specifications and plans on file in the Office of the Support Services; and to obtain and pay for the necessary inspection costs associated for this project up to \$84,399.46.

SECTION 2. That the City Auditor is hereby authorized to transfer \$295,606.52 within the Department of Public Utilities, Division of Sewerage and Drainage, Storm Sewer Bond Fund, Fund No. 685, Dept/Div. No. 60-15, Object Level Three 6621, as follows:

Fund No.	Project No. (all carryover)	Project Name	OCA Code	Change
685	610701-100000	E. Stanton Ave. SSI's	685701	-\$4,092.58
685	610707-100000	Early Ditch Area SSI's	685707	-\$34,574.30
685	610712-100000	Pump Station ST-24	685712	-\$22,267.31
685	610734-100000	Midland-Eakin SSI's	685734	-\$4,714.54
685	610751-100000	Olentangy River Rd./E. 5th	685751	-\$42,426.88
685	610790-100000	Manchester/Hiawatha/Cooke SSI's	685790	-\$14,758.94
685	610824-100000	Dry Run Flood Routing	685824	-\$34,804.29
685	610840-100000	Oaklawn-Piedmont Drainage	685840	-\$3,957.57
685	610884-100000	Watkins Rd./New World Drainage	685884	-\$871.60
685	610906-100000	Fairwood Ave./Smith Rd. Drainage	685906	-\$10,980.75
685	610920-100000	Hilliard Rome Ditch Imp's	685920	-\$14,680.52
685	610923-100000	Bliss Run Trunk Sewer Imp's	685923	-\$1,974.82
685	610931-100000	Olde Orchard Area Drainage	685931	-\$11,288.41
685	610932-100000	Walnut Hills Area Drainage	685932	-\$5,476.22
685	610941-100000	Jasonway Ave. Drainage	685941	-\$10,743.90
685	610943-100000	Hilliard Rome Storm Relief	685943	-\$1,241.17
685	610945-100000	Cleveland-Morse Drainage	685945	-\$37,167.62
685	610955-100000	McKinley Drainage Imp's	685955	-\$7,007.78
685	610959-100000	Dorris Ave. SSI's	685959	-\$21,873.11
685	610964-100000	Highland/Marburn SSI's	685964	-\$10,704.21
685	610795-100000	Rich/Holtzman Alley Sewer Imp's	685795	+\$295,606.52

SECTION 3. That the 2010 Capital Improvements Budget is hereby amended as follows:

Fund No.	Proj. No. (all carryover)	Proj. Name	Current Authority	Revised Authority	Change
685	610701-100000	E. Stanton Ave. SSI's	\$4,093	\$0	-\$4,093
685	610707-100000	Early Ditch Area SSI's	\$0	\$34,575	+\$34,575 (est. authority for cancellation)
685	610707-100000	Early Ditch Area SSI's	\$34,575	\$0	-\$34,575
685	610712-100000	Pump Station ST-24	\$0	\$22,268	+\$22,268 (est. authority for cancellation)
685	610712-100000	Pump Station ST-24	\$22,268	\$0	-\$22,268
685	610734-100000	Midland-Eakin SSI's	\$0	\$4,715	+\$4,715 (est. authority for cancellation)
685	610734-100000	Midland-Eakin SSI's	\$4,715	\$0	-\$4,715
685	610751-100000	Olentangy River Rd./E. 5th	\$0	\$42,427	+\$42,427 (est. authority for cancellation)
685	610751-100000	Olentangy River Rd./E. 5th	\$42,427	\$0	-\$42,427
685	610790-100000	Manchester/Hiawatha/Cooke SSI's	\$0	\$14,759	+\$14,759 (est. authority for cancellation)
685	610790-100000	Manchester/Hiawatha/Cooke SSI's	\$14,759	\$0	-\$14,759
685	610824-100000	Dry Run Flood Routing	\$0	\$34,805	+\$34,805 (est. authority for cancellation)
685	610824-100000	Dry Run Flood Routing	\$34,805	\$0	-\$34,805
685	610840-100000	Oaklawn-Piedmont Drainage	\$0	\$3,958	+\$3,958 (est. authority for cancellation)
685	610840-100000	Oaklawn-Piedmont Drainage	\$3,958	\$0	-\$3,958
685	610884-100000	Watkins Rd./New World Drainage	\$0	\$872	+\$872 (est. authority for cancellation)
685	610884-100000	Watkins Rd./New World Drainage	\$872	\$0	-\$872
685	610906-100000	Fairwood Ave./Smith Rd. Drainage	\$0	\$10,981	+\$10,981 (est. authority for cancellation)
685	610906-100000	Fairwood Ave./Smith Rd. Drainage	\$10,981	\$0	-\$10,981
685	610920-100000	Hilliard Rome Ditch Imp's	\$0	\$14,681	+\$14,681 (est. authority for cancellation)
685	610920-100000	Hilliard Rome Ditch Imp's	\$14,681	\$0	-\$14,681
685	610923-100000	Bliss Run Trunk Sewer Imp's	\$1,975	\$0	-\$1,975
685	610931-100000	Olde Orchard Area Drainage	\$0	\$11,289	+\$11,289 (est. authority for cancellation)

685 | 610931-100000 | Olde Orchard Area Drainage | \$11,289 | \$0 | -11,289
 685 | 610932-100000 | Walnut Hills Area Drainage | \$0 | \$5,477 | +\$5,477 (est. authority for cancellation)
 685 | 610932-100000 | Walnut Hills Area Drainage | \$5,477 | \$0 | -\$5,477
 685 | 610941-100000 | Jasonway Ave. Drainage | \$0 | \$10,744 | +\$10,744 (est. authority for cancellation)
 685 | 610941-100000 | Jasonway Ave. Drainage | \$10,744 | \$0 | -\$10,744
 685 | 610943-100000 | Hilliard Rome Storm Relief | \$0 | \$1,242 | +\$1,242 (est. authority for cancellation)
 685 | 610943-100000 | Hilliard Rome Storm Relief | \$1,242 | \$0 | -\$1,242
 685 | 610945-100000 | Cleveland-Morse Drainage | \$0 | \$37,168 | +\$37,168 (est. authority for cancellation)
 685 | 610945-100000 | Cleveland-Morse Drainage | \$37,168 | \$0 | -\$37,168
 685 | 610955-100000 | McKinley Drainage Imp's | \$0 | \$7,008 | +\$7,008 (est. authority for cancellation)
 685 | 610955-100000 | McKinley Drainage Imp's | \$7,008 | \$0 | -\$7,008
 685 | 610959-100000 | Dorris Ave. SSI's | \$0 | \$21,874 | +\$21,874 (est. authority for cancellation)
 685 | 610959-100000 | Dorris Ave. SSI's | \$21,874 | \$0 | -\$21,874
 685 | 610964-100000 | Highland/Marburn SSI's | \$0 | \$14,644 | +\$14,644 (est. authority for cancellation)
 685 | 610964-100000 | Highland/Marburn SSI's | \$14,644 | \$3,939 | -\$10,705
 685 | 610795-100000 | Rich/Holtzman Alley Sewer Imp's | \$0 | \$295,616 | +\$295,606

SECTION 4. That for the purpose of paying the cost of the contract and inspection, the sum of \$647,062.55 or so much thereof as may be needed, is hereby authorized to be expended from the Build America Bonds Fund, No. 746 for the Department of Public Service and the Storm Sewer Bond Fund for the Department of Public Utilities as follows:

Division of Design and Construction, Dept-Div 59-12:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
 746 / 440005-100009 / UIRF - Holtzman/Main / 06-6631 / 765909 / \$305,613.94
 746 / 440005-100009 / UIRF - Holtzman/Main / 06-6687 / 765909 / \$45,842.09

Division of Sewerage and Drainage Dept-Div 60-15 (Storm)

Fund / Project No. (both carryover) / Project Name / O.L. 01-03 Codes / OCA / Amount
 685 / 610795-100000 / Rich/Holtzman Alley Sewer Imp's / 06-6621 / 685795 / \$257,049.15
 685 / 610795-100000 / Rich/Holtzman Alley Sewer Imp's / 06-6687 / 685795 / \$38,557.37

SECTION 5. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1784-2010

Drafting Date: 11/28/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This Ordinance authorizes the Director of Public Utilities to modify and increase an engineering services agreement with Stantec Consulting Services, Inc. for the Division of Power and Water (Power). The original agreement provided for professional engineering services for Phase I of the Geographical Information System (GIS) Conversion Services Project which consisted of data source preparation and documentation, project management and production methodology, proof of concepts of one (1) complete distribution circuit, verification of existing Power GIS data

within the Downtown area and two (2) ArcFM software licenses. This legislation for Phase II authorizes the expenditure for engineering services to complete the downtown underground power distribution system and to start the overhead distribution system. This phase also includes two (2) additional sets of software and training for the software purchased for this project and was a planned modification stated in Ordinance No. 1474-2009.

1.1 Amount of additional funds for Phase II to be expended:	\$210,948.20
Original Contract Amount:	\$199,321.60
<u>Modification #1 (current)</u>	<u>210,948.20</u>
Total (Original + Modification #1)	\$410,269.80

1.2. Reasons additional goods/services could not be foreseen:

This was a planned modification as indicated in the original authorizing legislation, Ordinance No. 1474-2009.

1.3. Reason other procurement processes are not used:

This was a planned contract modification identified in the original contracting legislation. The engineering services during this phase are a continuation of the services in Phase I.

1.4. How cost of modification was determined:

Costs were submitted by the Consultant and reviewed and verified by the City Project Manager.

2. CONTRACT COMPLIANCE INFO: 11-2167170, expires 12/17/11, Majority

3. FISCAL IMPACT: This legislation includes a transfer of funds within the Electric Build America Bonds Fund and an amendment to the 2010 Capital Improvements Budget to allow sufficient cash and authority to be available in the proper project to cover the necessary expenditure.

4. EMERGENCY JUSTIFICATION: The services provided in Phase II are a continuation of services from Phase I. Emergency action is requested in order to proceed without interruption and to maintain the scheduled timeline. This phase also includes City staff to be trained on the new software in order to verify and maintain data that is being delivered via the consultant from Phase I and future phases.

Title

To authorize the Director of Public Utilities to modify and increase the engineering services agreement with Stantec Consulting Services, Inc. for Phase II of the Geographical Information System (GIS) Conversion Services Project; to authorize the transfer of \$210,948.20 within the Electric Build America Bonds Fund; to authorize an amendment to the 2010 Capital Improvements Budget; to authorize an expenditure of \$210,948.20 from the Electric Build America Bonds Fund and to declare an emergency. (\$210,948.20)

Body

WHEREAS, Contract No. EL010405 was authorized by Ordinance No. 1474-2009, passed December 14, 2009, was executed May 20, 2010, and approved by the City Attorney on June 07, 2010; and

WHEREAS, the Division of Power and Water (Power) would like to modify and increase the engineering services agreement with Stantec Consulting Services, Inc. for the Geographical Information System (GIS) Conversion Services Project; and

WHEREAS, it is necessary to authorize the transfer of \$210,948.20 within the Electric Build America Bonds Fund for purposes of providing sufficient funding for the aforementioned project; and

WHEREAS, it is necessary to authorize an amendment to the 2010 Capital Improvements Budget for purposes of creating and providing sufficient budget authority for the aforementioned project; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Electric Build America Bonds

Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water (Power), to authorize the Director of Public Utilities to modify and increase the engineering services agreement with Stantec Consulting Services, Inc. for the Geographical Information System (GIS) Conversion Services Project, for the preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Auditor be and is hereby authorized to transfer \$210,948.20 within the Division of Power and Water (Power), Division No. 60-07, Electric Build America Bonds Fund, Fund No. 559, Object Level One-06, Object Level Three-6682 as follows:

TRANSFER FROM:

Fund No. / Project No. / Project Name / OCA Code / Amount

559 / 670791-100000 / New County Courthouse / 559791 / \$210,948.20

TRANSFER TO:

Fund No. / Project No. / Project Name / OCA Code / Amount

559 / 670827-100000 / GIS Mapping / 553827 / \$210,948.20

SECTION 2. That the Director of Public Utilities is hereby authorized and directed to modify and increase the engineering services agreement with Stantec Consulting Services, Inc., for the Geographical Information System (GIS) Conversion Services Project, in the amount of \$210,948.20.

SECTION 3. That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

SECTION 4. That the expenditure of \$210,948.20 is hereby authorized for the GIS Conversion Engineering Services Agreement within the Electric Build America Bonds Fund, Fund No. 559, Division 60-07, Project No. 670827-100000, Object Level Three 6682, OCA Code 553827.

SECTION 5. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 8. That the 2010 Capital Improvement Budget, Ordinance 0564-2010 is hereby amended as follows:

Division of Power and Water (Power), Division 60-07:

Fund No. / Project No. / Project Name / Current Authority / Revised Authority / Change

559 / 670791-100000 / New County Courthouse / \$470,000 / \$259,051 / -\$210,949

559 / 670827-100000 / GIS Mapping / \$0 / \$210,949 / +\$210,949

SECTION 9. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1785-2010

Drafting Date: 11/29/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:** This ordinance amends various sections of Title 21 of the Columbus City Codes, 2115, which deals with Photo Traffic Enforcement System.

The "Focus on Safety" Photo Red Light Program is helping to save lives by reducing deadly right angle crashes at some of the most dangerous intersections. The purpose of this ordinance is to impose a limited expansion of this life saving, safety force multiplier initiative by permitting the issuance of mobile speed citations in schools zones and in other areas where children congregate; amend the right turn on red citation language; amend the bond requirement for administrative appeals; and amend miscellaneous provisions.

FISCAL IMPACT: There are no expenditures from the General Fund due to this ordinan

TitleTo amend various sections of Title 21 of the Columbus City Codes, 2115 entitled "Photo Traffic Enforcement System " in order to: issue mobile speed citations in schools zones and other areas where children congregate; amend the right turn on red citation language; amend the bond requirement for administrative appeals; and amend other miscellaneous revisions.

Body**WHEREAS,** the photo red camera system saves lives by reducing deadly right-angle crashes due to drivers attempting to "beat the light"; and

WHEREAS, the success of the Columbus system is demonstrated by a dramatic decrease in both right angle crashes as well as a reduction in red light violations;and

WHEREAS, it is not recommended to retrofit our existing photo red light cameras nor introduce new fixed speed cameras at any of our locations; and

WHEREAS, the Columbus system will utilize mobile speed vehicles to patrol areas where children assemble, i.e. schools zones, parks, playgrounds, and pools; and

WHEREAS, in addition to authorizing limited speed enforcement the ordinance will also: amend right turn on red provisions; amend the bond requirements for administrative hearings, and amend various miscellaneous provisions; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That various Sections of Title 21 of the Columbus City Codes 2115, entitled "Photo Traffic Enforcement System" be and is hereby amended as follows:

Chapter 2115 - PHOTO TRAFFIC ENFORCEMENT SYSTEM

Sections:

- 2115.01 - Definitions.
- 2115.02 - Adoption and enforcement.
- 2115.03 - Notice of liability.
- 2115.04 - Appeal of notice of liability.
- 2115.05 - Penalties.

2115.01 - Definitions.

As used in this chapter:

- (A) "Photo traffic enforcement system" means any photographic, [video](#), [digital](#), [radar](#), [laser](#), or [lidar](#) equipment linked to a

violation detection system that synchronizes the taking of a photograph, video or digital image with the occurrence of a traffic signal or speeding violation.

(B) "Photographic equipment" means a system that may include, but is not limited to, devices which link a camera, computer, and traffic signal, alone or in combination with other devices, to detect vehicles which have violated the traffic signal and to record an image of the motor vehicle. "Photographic equipment" may also include, but is not limited to, devices that combine a camera, ~~and~~ computer, radar, laser, or lidar, alone or in combination with other devices, to measure the speed of a motor vehicle or other ~~object~~objects and to record an image of the motor vehicle, or other objects. The results of photographic, video, or digital imaging equipment means the images, and any other data or information produced by the photo traffic enforcement system.

(C) A "violation" ~~means that~~is either of the following:

(1) a vehicle has crossed the stop line in a system location when the traffic control signal for that vehicle's direction of travel is emitting a steady red light. Even if the motor vehicle stops at a point past the stop line or crosswalk where a driver is required to stop, as specified in Section 4511.13(C) of the Ohio Revised Code or a similar provision of a local ordinance, the City of Columbus will not use photo traffic enforcement to issue violations in instances where the motor vehicle makes a right turn on red that is otherwise permissible, during the cycle of the red signal indication, unless one or more pedestrians are present in, or are about to enter, the crosswalk.

(2) a vehicle has exceeded the maximum speed limit, as specified in Columbus City Code Section 2133.03, in a school zone or adjacent to a park, public swimming pool, commercial swimming pool, or recreation center.

(D) A vehicle's "owner" means the person or entity identified by the Ohio Bureau of Motor Vehicles or registered with any state vehicle registration office as the owner of a vehicle; or lessee of a motor vehicle under a lease of 30 days or more; or the renter of a vehicle during the period of infraction pursuant to a written rental agreement with a motor vehicle renting dealer.

(E) The term "school zone" has the same meaning as set forth in Section 2101.355 of the Columbus City Codes, and includes year-round schools.

(F) The term "year-round school" means a school where students receive the requisite education over an 11-month or 12-month period rather than over a shorter period.

(G) The terms "park" and "parks" have the same meaning as set forth in Section 919.01(F) of the Columbus City Codes, and include playgrounds that are open to the public.

(H) The term "public swimming pool" has the same meaning as set forth in Section 3393.01(d) of the Columbus City Codes.

(I) The term "commercial swimming pool" has the same meaning as set forth in Section 3393.01(f) of the Columbus City Codes.

(J) The term "recreation center" means those buildings and areas surrounding such buildings owned, operated, or maintained by the City of Columbus where recreational activities, day care, healthcare, and other services beneficial to the public are provided.

(Ord. 958-05 § 1 (part).)

2115.02 - Adoption and enforcement.

(A) The City of Columbus hereby adopts a photo traffic enforcement system for the purpose of using photographic, video, or digital imaging equipment to record visual images of vehicles entering intersections or exceeding the maximum speed limit in violation of Section 2115.03 of this chapter, and using said images as the basis for issuing a notice of liability to the owners of such vehicles within thirty (30) days of the violation.

(B) The director of public safety or his or her designee(s) shall be responsible for implementing the photo traffic enforcement system for traffic signals and speed enforcement. The director or his or her designee is hereby empowered to designate the intersections and other locations to be monitored by the photo traffic enforcement system, to issue notices of liability for persons who commit violations at such intersections or places, to select a hearing officer for the purpose of hearing appeals of notices of liability, and to promulgate any rules and regulations deemed to be necessary for the enforcement of this chapter.

(C) The intersections selected for photo enforcement under this chapter must display a yellow traffic control signal for a time that complies with the Ohio Department of Transportation's Manual of Uniform Traffic Control Devices.

(Ord. 958-05 § 1 (part).)

2115.03 - Notice of liability.

(A) Prior to the activation of a photo traffic enforcement system at an intersection, the director of public safety or his or her designee shall erect a sign in a conspicuous location that provides notice that a photo traffic enforcement system is being used to monitor traffic.

(B) For thirty (30) days after the activation of a traffic signal photo red light traffic enforcement system at an intersection, no notices of liability will be issued based upon the images produced by the system. Warnings may be issued during this thirty (30) -day period.

(C) A police officer employed by the Columbus division of police shall examine the image recorded by the photo traffic enforcement system to determine whether a violation as defined in Section 2115.01 (C) of this chapter has occurred. If the image recorded by the photo traffic enforcement system shows a violation, contains a date and time of the violation, and shows the vehicle's license plate number ~~as well as~~ and the state in which the license was issued, the officer may use any lawful means to identify the vehicle's owner.

(D) The fact that a person is ~~registered as~~ the owner of a vehicle ~~with the vehicle registration office of the state that issued the license plate displayed on the vehicle~~ shall be prima facie evidence that said person was operating the vehicle at the time of a violation recorded by a photo traffic enforcement system.

(E) Within thirty (30) days of the violation and upon identification of the ~~registered~~ owner of the vehicle, the director of public safety or his or her designee may issue a notice of liability, charging the owner with a violation. The notice of liability shall be sent by regular U.S. mail and must state the date on which the notice of liability was issued, the date, time, and location of the violation, the time in which an answer must be made by the ~~vehicle~~ owner, and the manner in which the notice of liability may be appealed. In addition, a copy of the image(s) that served as a basis for the violation must accompany the notice of liability.

(F) A person who receives a notice of liability pursuant to this section shall be required to respond in one of the following methods:

- (1) By paying the administrative fine as directed on the notice of liability within thirty (30) days of the date the notice was issued; or
- (2) By submitting evidence of one of the exceptions to liability listed in division (G) of this section within thirty (30) days of the notice's issue date; or
- (3) By submitting to the address listed on the notice of liability, a request for a hearing within thirty (30) days of the notice's issue date.

(G) The owner of the vehicle shall not be liable for a penalty under this section if the director of public safety or his or her designee determines that sufficient evidence of ~~either one~~ of the following conditions exist:

- (1) At the time of the violation, the vehicle was in the custody of someone other than its owner pursuant to a written lease or rental agreement and the owner submits, to the address listed on the ticket, a copy of the lease or rental agreement along with the name and address of the lessee or renter.
- (2) At the time of the violation, the vehicle or the license plate depicted in the image which served as the basis for the notice of liability was stolen and the owner submits, to the address listed on the ticket, a copy of the police report stating the vehicle or license plate had been reported stolen at the time.
- (3) At the time of the violation, the vehicle was in the custody and control of someone other than its owner, and the owner submits an affidavit identifying under penalty of perjury the name and current address of said person.

(H) ~~Nothing~~ Except as set forth herein, nothing in this chapter shall be construed to limit the liability of an operator of a motor vehicle for any violation of the Ohio Revised Code or the Columbus Traffic Code.

(Ord. 958-05 § 1 (part).)

2115.04 - Appeal of notice of liability.

(A) A person who received a notice of liability pursuant to this section may appeal the notice of liability by making a written request for a hearing to the address listed on the notice of liability. Prior to the hearing, a bond must be posted in the amount of the fine. The bond shall be payable by either a check or money order. If the former, the check is to be made payable to "Columbus Focus on Safety Program". If the latter, the money order is to be made payable to "cash". Should the owner or designee be found by the hearing officer to be not liable and/or the citation is dismissed by the officer, then the check or bond will be immediately returned after the hearing. ~~Said request shall be accompanied by a monetary deposit in an amount equal to the amount of the administrative fine listed on the notice of liability.~~

(B) Within ~~forty-five (45)~~ ~~thirty (30)~~ days of the receipt of the request for a hearing, a hearing officer appointed by the director of public safety or his or her designee shall hold a hearing. The hearing officer shall determine whether the city has demonstrated by a preponderance of the evidence that a violation occurred and that the person who received the notice of liability is liable for the penalty set forth in Section 2115.05 of this chapter.

(C) A certified copy of the notice of liability alleging the violation, along with a copy of the image that served as a basis for the notice of liability, shall be prima facie evidence of the facts contained therein, and shall be admissible in a proceeding alleging a violation under this ordinance.

(D) In considering whether the person is liable, the hearing officer shall consider any of the following as an affirmative defense of a violation:

- (1) That the notice of liability was issued and sent more than thirty (30) days after the date of the violation recorded by the photo traffic enforcement system.
- (2) That the driver of the vehicle passed through the intersection or had increased speed in order to yield the right of way to an emergency vehicle, in accordance with R.C. 4511.45 or to a funeral procession, in accordance with R.C. 4511.451.
- (3) That either the vehicle or the license plate depicted on the image, which served as the basis for the notice of liability, was stolen before the violation occurred and was not in possession of the owner at the time of the violation. To qualify as an affirmative defense under this provision, the owner must submit proof that a police report about the stolen vehicle or license plate was filed prior to or within forty-eight (48) hours after the violation.
- (4) That this section is unenforceable because the photo traffic enforcement system was not operating properly, or the automated traffic enforcement system was not in a proper position, or that the image that served as the basis for the notice of liability is not legible enough to show the letters and numbers or the state that issued the license plate on the vehicle.
- (5) That the driver of the vehicle entered the intersection as part of a funeral procession or at the direction of a police officer.
- (6) That the owner or person named in the notice of liability was not operating the vehicle at the time of the violation. To satisfy the evidentiary burden under this provision, the owner or person named in the notice of liability shall provide the hearing officer with evidence of the identity of the person who was operating the vehicle at the time of the violation, including, at a minimum, the operator's name and current address.

(E) The hearing officer shall issue a written decision within ten (10) days of the hearing and serve the person named on the notice of liability and the issuing police officer with a copy of said decision. All such decisions shall be entered into the records of the department of public safety.

~~(F) If the hearing officer determines by a preponderance of the evidence that the city has demonstrated that the person named in the notice of liability committed the violation, the hearing officer's decision shall be against the person and require him or her to pay the appropriate fine and any additional penalties, fees and costs.~~

~~(G) If the hearing officer determines by a preponderance of the evidence that a person has not committed the violation named in the notice of liability, the hearing officer's decision shall be against the City of Columbus, and the hearing officer shall dismiss the notice of liability against the person and immediately return the bond.~~

~~(H) If the hearing officer concludes that the testimony and/or exhibits presented at the hearing shows by a preponderance of the evidence that someone other than the person named in the notice of liability was operating at the time of the violation, the hearing officer shall forward to the department of public safety all evidence provided to him at the hearing as to the operator's identity.~~

~~(F) If the hearing officer determines that the city has demonstrated by a preponderance of the evidence that the person named in the notice of liability committed the violation, the hearing officer shall enter judgment against the person requiring him or her to pay the appropriate fine and any additional penalties, fees and costs. Such judgment shall be entered into the records of the department of public safety.~~

~~(G) If the hearing officer does not determine, by a preponderance of the evidence, that a person committed the violation named in the notice of liability, the hearing officer shall enter judgment against the City of Columbus, shall dismiss the notice of liability against the person and shall enter the judgment and dismissal into the records of the department of public safety.~~

~~(H) Within ten (10) business days of receiving evidence from the vehicle owner indicating that he or she was not operating the vehicle at the time of the violation, the director of public safety or his or her designee may issue a notice of liability to the person whom the evidence indicates was operating the vehicle at the time of the violation.~~

(I) Any person against whom a ~~judgment or default judgment~~ decision is entered pursuant to this section may appeal the

~~judgment or default judgment~~ the decision to the Franklin County Municipal Court by filing notices of appeal to the Columbus Division of Police and the Municipal Court within thirty (30) days of the date of entry of the ~~judgment~~ decision and by the payment of such reasonable costs as the court requires.

(J) Upon the filing of the appeal, the court shall schedule a hearing date and notify the parties of the date, time, and place of the hearing.

(K) The hearing shall be held by the court in accordance with local court rules and a decision shall be rendered by the court on the appeal.

(L) Service of a notice of appeal under this division does not stay enforcement and collection of the ~~judgment or default judgment from which appeal is taken by the person~~ appropriate fine and any additional penalties, fees and costs unless the person who files the appeal posts bond with the court in the full amount of the ~~judgment, plus costs,~~ fine, penalties and costs at or before the service of the notice of appeal.

~~(M) Notwithstanding any other provision of law, the judgment on appeal by the municipal court is final, and no other appeal may be taken.~~

(Ord. 958-05 § 1 (part).)

2115.05 - Penalties.

(A) Unless the operator of a vehicle receives a traffic citation from a police officer at the time of the violation, ~~;~~

(1) an administrative fine in the amount of ninety-five dollars (\$95.00) shall be assessed against the vehicle owner for the commission of a violation as defined in Section 2115.01 (C)(1) of this chapter;

(2) an administrative fine in the amount of ninety-five dollars (\$95.00) shall be assessed against the vehicle owner for the commission of a violation as defined in Section 2115.01(C)(2) of this chapter, except that an administrative fine in the amount of one-hundred and forty-six dollars (\$146.00) shall be assessed against the vehicle owner for the commission of a violation as defined in Section 2115.01(C)(2) of this chapter where the vehicle was traveling greater than twenty (20) miles per hour over the maximum speed limit in a school zone.

(B) A violation for which an administrative fine is imposed under this section shall not be considered a traffic offense or a moving violation for the purpose of assessing points under Ohio Revised Code 4507.021 and shall not be reported to the Bureau of Motor Vehicles of any state.

(C) Upon receipt of a notice of liability pursuant to the method described in Section 2115.03(E), the vehicle owner shall have thirty (30) days to pay the administrative fine without additional monetary penalty.

(D) If the vehicle owner does not respond to the notice of liability within this period, the following action shall be taken by the director of public safety or his or her designee:

(1) A notice of decision by default ~~judgment~~ shall be sent by regular U.S. mail to the recipient of the notice of liability indicating that an adverse decision has been entered by default and that payment is due within thirty (30) days after receipt of ~~the said~~ notice ~~of default judgment.~~

(2) The notice of decision by default ~~judgment~~ shall contain the following information:

(a) An identification of the violation with which the person was charged and the time and date of the violation, which identification may be a copy of the notice of liability charging the violation that was served upon the person;

(b) An identification of the amount of the administrative fine, late fees and costs arising out of the violation that is due;

(c) A warning that the person must answer the notice of liability decision by default within thirty (30) days or ~~a default civil judgment in the amount~~ collection of the fine, penalties and costs due may ~~be entered~~ begin against the person;

(d) A description of the allowable answers that may be made and notification that the person will be afforded a hearing before the hearing officer if the vehicle owner denies in his or her answer that he committed the violation;

(e) An identification of the manners in which and the entity to which an answer may be made;

(f) A warning that if the person fails to appear at a requested hearing, ~~a the decision by default civil judgment in the amount~~ previously entered will be [upheld/maintained] and collection of the fine, penalties and costs due may ~~be entered~~ begin against the person. ~~;~~ In addition to the original fine, penalties, and costs, any costs incurred after the original decision by default may be added to the amount owed, and become immediately collectable.

(3) If a person who is issued a notice of decision by default ~~judgment fails~~ fails to timely answer, the failure to answer shall be considered an admission that the person committed the violation and ~~a the decision by default~~

~~judgment previously entered shall stand~~, in the amount of the fine, penalties and costs ~~previously due may be entered against the person by the hearing officer.~~ Failure to timely answer the notice of liability identified in the notice of ~~decision by~~ default ~~judgment~~ may result in the imposition of an additional penalty of twenty-five dollars (\$25.00).(4) A person who receives a notice of ~~decision by~~ default ~~judgment~~ pursuant to this section may answer the violation with which he is charged ~~that is~~, identified in the notice of ~~decision by~~ default ~~judgment~~ in any of the manners provided in division (F) of Section 2115.03 for answers to violations charged in a notice of liability. An answer under this section shall be made within thirty (30) days after the date on which the notice of ~~decision by~~ default ~~judgment~~ was mailed in accordance with the methods provided in Section 2115.03(G), except that if the answer consists solely of payment of the administrative fine arising out of the notice of liability any penalty arising out of failing to timely answer shall also be imposed.

(5) If a person for whom a hearing is to be conducted under Section 2115.04 of this chapter fails to appear at the scheduled hearing and fails to submit evidence the hearing officer shall ~~, upon a determination from any testimony or exhibits presented at the hearing that the city demonstrated by a preponderance of~~ uphold the ~~evidence that the person committed the violation, enter a default judgment~~ original decision by default against the person and require the person to pay the appropriate fine and any additional penalties, fees and costs. A ~~default judgment entered~~ decision by default upheld under this division shall be reentered in the records of the department of public safety and filed with the clerk of the Franklin County municipal court.

(6) The hearing officer may vacate a ~~decision by~~ default ~~judgment~~ entered under this section if all of the following apply:

- (a) The person against whom the ~~decision by~~ default ~~judgment~~ was entered files a motion with the department of public safety within one (1) year of the date of entry of the ~~default judgment~~ decision; and
- (b) The motion sets forth a sufficient defense to the violation out of which the ~~judgment~~ decision arose; and
- (c) The motion sets forth excusable neglect as to the person's failure to attend the hearing or answer the notice of ~~decision by~~ default ~~judgment~~.

(7) Payment of any ~~judgment or fine, penalties, fees and costs pursuant to an upheld decision by~~ default ~~judgment~~ entered against a person pursuant to this section shall be made to the department of public safety within ten (10) days of the date of entry by the hearing officer. The director of public safety or his or her designee shall create and maintain a record of all money paid in satisfaction of a ~~judgment or~~ decision by default ~~judgment~~. ~~If payment is not made within this time period, the judgment or default judgment shall be filed with the clerk of the Franklin County municipal court and when so filed, shall have the same force and effect as a money judgment in a civil action rendered in that court.~~

(Ord. 958-05 § 1 (part).)

SECTION 2. That prior existing sections inconsistent with the above are hereby repealed.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1786-2010

Drafting Date: 11/29/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into contract with R.W. Armstrong & Associates, Inc. for a professional engineering services contract in the amount of \$200,000.00. The intent of this contract is to provide the Division of Planning and Operations with resources to perform engineering and surveying tasks related to bridges, but also to be available for projects requiring a quick response.

Services to be included in this contract include but are not limited to bridge Inspections, bridge load ratings, bridge rehab

workplans, and engineering reports, preparation of design plans, engineering analysis and reports, preparation of engineering plans and specifications to correct bridge deficiencies, plans to repair existing structures. Services may be small in scope for individual projects, and some services may be required to quickly address discovered bridge deficiencies, it is desirable to lump these services into one contract.

The Department of Public Service, Office of Support Services solicited a Request for Proposals for the Bridge Rehabilitation - General Engineering Design Service project. The project was advertised on the Vendor Services web site from August 25, 2010, to September 27, 2010. The City received ten (10) responses. All proposals were deemed minimally compliant and were fully evaluated when the Evaluation Committee met on October 20, 2010. .

<u>Company Name</u>	<u>City/State</u>	<u>Majority/MBE/FBE/ASN /PHC</u>
R.W. Armstrong & Associates, Inc	Columbus, OH	PHC
Resource International, Inc.	Columbus, OH	FBE
Columbus Engineering Consultants, Inc.	Columbus, OH	ASN
Strand Associates, Inc.	Madison, WI	Majority
Jones-Stuckey Ltd., Inc.	Columbus, OH	Majority
EMH&T	Columbus, OH	Majority
DLZ Ohio	Columbus, OH	ASN
American Structurepoint, Inc.	Columbus, OH	Majority
CT Consultants	Mentor, OH	Majority
McCormick Taylor	Columbus, OH	Majority

R.W. Armstrong & Associates, Inc. received the highest score by the evaluation committee and will be awarded the contract for \$200,000.00.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against R.W. Armstrong & Associates, Inc.

2. CONTRACT COMPLIANCE

R.W. Armstrong & Associates, Inc's contract compliance number is 351062227 and expires 9/21/11.

3. FISCAL IMPACT

Funds in the amount of \$200,000.00 are available in the Streets and Highways G.O. Bonds Fund for the Department of Public Service.

4. EMERGENCY DESIGNATION

In order to provide engineering services for the City's bridges at the earliest possible time, the Department of Public Service is requesting this ordinance to be an emergency measure.

TitleTo authorize the Director of Public Service to enter into a professional engineering services contract with R.W. Armstrong & Associates, Inc. in connection with the Bridge Rehabilitation - General Engineering Design Service project to provide for engineering services for the City bridge program; to amend the 2010 CIB; to authorize the transfer of cash and appropriation and the expenditure of \$200,000.00 within the Build America Bonds Fund; and to declare an emergency. (\$200,000.00)

Body**WHEREAS**, the Department of Public Service is responsible for the construction and rehabilitation of bridges within the City; and

WHEREAS, in order to ensure these bridges are safe for the travelling public it is necessary to execute a contract for professional engineering services to properly monitor and design bridge rehabilitation and reconstruction projects; and

WHEREAS, a satisfactory proposal has been submitted by R.W. Armstrong & Associates, Inc.; and

WHEREAS, this ordinance authorizes the Director of Public Service to enter into contract for the Bridge Rehabilitation - General Engineering Design Services contract with R.W. Armstrong & Associates, Inc., for professional services related to the City bridge program; and

WHEREAS, an emergency exists in the Department of Public Service in that these general engineering services are necessary to provide timely engineering services; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Department of Public Service be and is hereby authorized to enter into a professional services contract with R.W. Armstrong & Associates, Inc., 471 East Broad Street, Suite 2010, Columbus, OH, 43215 in an amount not to exceed \$200,000.00, to provide engineering services for the City bridge program for the Division of Design and Construction.

SECTION 2. That the 2010 Capital Improvement Budget be amended to provide sufficient authority for this project as follows:

Fund / Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount
746 / 530282-100057 / Resurfacing - Resurfacing 2010 Project 6 / \$381,294.00 / (\$200,000.00) / \$181,294.00
746 / 530301-100000 / Bridge Rehabilitation / \$0.00 / \$200,000.00 / \$200,000.00

SECTION 3. That the City Auditor be and hereby is authorized to transfer \$200,000.00 within Fund 746, the Build America Bonds Fund, Dept-Div 59-11, Division of Planning and Operations as follows:

TRANSFER FROM

Fund / Project / Project Name / OL 01-03 Codes / OCA Code / amount
746 / 530282-100057 / Resurfacing - Resurfacing 2010 Project 6 / 06-6600 / 768257 / \$200,000.00

TRANSFER TO

Fund / project # / project / O.L. 01/03 Codes / OCA Code / amount
746 / 530301-100000 / Bridge Rehabilitation / 06-6600 / 746301 / \$200,000.00

SECTION 4. That for the purpose of paying the cost thereof, the sum of \$200,000.00 or so much thereof as may be needed, is hereby authorized to be expended for the Division of Planning and Operations, Dept.-Div., 59-11, as follows:

Fund / project # / project / O.L. 01/03 Codes / OCA Code / amount
746 / 530301-100000 / Bridge Rehabilitation / 06-6682 / 746301 / \$200,000.00

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1787-2010

Drafting Date: 11/29/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To modify the existing contract FL004382 with Traffic Control Products, Inc., for the option to purchase Traffic Pedestrian Signal Equipment to add additional items 5A, 6A, 7A, and 8A and the requirement that these items meet the provision of the American Recovery and Reinvestment Act of 2009 that sets forth the Buy American

provisions.

The Purchasing Office established an option contract with Traffic Control Products in accordance with formal competitive bid SA003200 that was opened on March 19, 2009. The option contract is through May 31, 2011 with the option to extend two additional one-year periods.

The Department of Public Service, Division of Planning and Operations received grant money from the Department of Energy and has a need to purchase signal pedestrian housing for city projects. Contract FL004382 was established for these items with Traffic Control Products, the lowest, responsive bidder per solicitation SA003200.

Contract FL004382 did not have the requirement that products must meet the Buy American provision of the American Recovery and Reinvestment Act of 2009, accordingly the four items under this contract did not meet the Buy American provision. Traffic Control Products can modify the manufacture of these items awarded under contract FL004382. and at an additional cost, provide the items to meet the Buy American provisions.

The price of the items that meet the Buy American provision were negotiated. The increase in price for the items remains less than the price offered by the next lowest bidder for these items per solicitation SA003200.

Traffic Control Products, Inc., CC#341374949, Exp. 5/29/2011

This company is not debarred according to the Excluded Parties listing of the Federal Government and is not listed in the Auditor of States database for Findings for Recovery.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: No funding is required to modify this contract, city agencies must set aside their own funding for their estimated expenditures

Title

To authorize and direct the Finance and Management Director to modify a contract with Traffic Control Products, Inc. for traffic pedestrian signal equipment to add additional items to the contract and to add the requirement that they comply with the Buy American provision of the American Recovery and Reinvestment Act of 2009; to waive the competitive bidding provisions of of the Columbus City Codes; and to declare an emergency.

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on March 9, 2009 and awarded an option contract to Traffic Control Products, Inc. for items 5, 6, 7, and 8, the lowest, responsive bidder for these items; and

WHEREAS, the Department of Public Service, Division of Operations and Mobility, the largest user, has a need to purchase the items awarded; and

WHEREAS, The Department of Public Service was awarded a federal Department of Energy grant and intends to use the grant to purchase Traffic Pedestrian Signal Equipment and as a condition of the grant must comply with the requirement that manufactured items meet the Buy American provision of the grant; and

WHEREAS, To comply with the grant the contract for Traffic Pedestrian Signal Equipment with Traffic Control Products be modified to allow for the addition of items 5A, 6A, 7A, and 8A and add the requirement that they comply with the Buy American provision of the American Recovery and Reinvestment Act of 2009 that the items be "substantially transformed in the United States"; and

WHEREAS, in order to ensure Traffic Pedestrian Signal Equipment is supplied without interruption to enable the installation of traffic pedestrian signals at various roadways throughout the City of Columbus this is being submitted for consideration as an emergency measure; and

WHEREAS, this is being submitted in accordance with section 329.27; to waive section 329.06 of the Columbus City

Code; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service Division of Planning and Operations in that it is immediately necessary to modify the option contract to allow for the purchase of Traffic Pedestrian Signal Equipment that meets the requirements of the Buy American provision of the American Recovery and Reinvestment Act of 2009 to comply with the provisions of the Department of Energy grant money to be used for the purchase thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to modify contract FL004382 with Traffic Control Products, Inc. to add items 5A, 6A, 7A, and 8A and that the manufacture of the items meet the requirement of the Buy American provision of the American Recovery and Reinvestment Act of 2009, and

SECTION 2. That in accordance with Section 329.27 of the Columbus City Code, this Council finds the best interest of the City is served by waiving, and does hereby waive Section 329.06 (Competitive Sealed Bidding. the procurement of materials, supplies and equipment) of the Columbus City Code.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1791-2010

Drafting Date: 11/29/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The City Attorney's office has received budget adjustments and grant extensions for the 2010 VAWA Stalking Investigator Grant, the ARRA Stalking Investigative Specialists I & II Grant and the ARRA Witness Assistance Database and Domestic Violence Advocate Grant. All three grants have been extended until 04/30/11 and adjusted budget awards have allowed for additional stalking investigative services. This ordinance will authorize the City Attorney to contract for stalking investigative services and will align appropriations with the adjusted grant budgets.

Two contracts and two contract modifications are needed to allow for expenditures in accordance with the adjusted grant budgets.

For the 2010 VAWA Stalking Investigator Grant:

- The modification of a contract with J Investigations, LLC previously approved by Ordinance 1683-2009 in the amount of \$54,040.00 and for the term of 01/01/10 through 12/31/10 to add an additional \$2,100.00 and to extend the term until 04/30/11. This will allow for an additional 60 investigative hours.

For the ARRA Stalking Investigative Specialist I & II Grant:

- A contract with J Investigations, LLC for \$2,520.00 with a term of 01/01/11 through 04/30/11 which will allow for an additional 72 investigative hours.

For the ARRA Witness Assistance Database and Domestic Violence Advocate Grant:

- A contract with J Investigations, LLC for \$2,625.00 with a term of 01/01/11 through 04/30/11 which will allow for an additional 75 investigative hours.
- The modification of a contract with Urban Advocacy and Investigations, LLC previously approved by Ordinance

1610-2010 in the amount of \$6,380.00 and for the term of 11/15/10 through 12/31/10 to add an additional \$14,960.00 and to extend the term until 04/30/11. This will allow for an additional 680 investigative hours.

The total contracts and modification with J Investigations, LLC will be \$7,245.00 and will allow for 207 additional investigative hours.

Fiscal Impact:

Funding for these contracts will come from three separate grants:

\$2,100.00 from the 2010 Stalking Investigator Grant

\$2,520.00 from the ARRA Stalking Investigative Specialist I & II Grant

\$17,585.00 from the ARRA Witness Assistance Database and Domestic Violence Advocate Grant

Emergency Designation:

This ordinance is being submitted as an emergency to allow for the timely commencement of services.

Contract Compliance Numbers:

Urban Advocacy and Investigations, LLC, 27-0563479-001, ACT expires 08/20/11

J Investigations, LLC, 23-3757766-001, ACT expires 12/01/2012

Title

To authorize the City Attorney to modify and to enter into contracts with Urban Advocacy and Investigations, LLC and J Investigations, LLC for stalking investigative services; to align appropriations with adjusted grant budgets; to authorize expenditures from the 2010 VAWA Stalking Investigator Grant, the ARRA Stalking Investigative Specialist I & II Grant, and the ARRA WAP Database and Domestic Violence Advocate Grant; to waive the competitive procurement provisions of the Columbus City Codes; and to declare an emergency. (\$22,205.00)

Body

WHEREAS, the Franklin County Homeland Security and Justice Programs Unit awarded the City Attorney's Office three grants: the 2010 VAWA Stalking Investigator Grant, the Stalking Investigative ARRA Specialists I & II Grant, and the ARRA Witness Assistance Database and Domestic Violence Advocate Grant and has subsequently approved budget adjustments and extended said grants until April 30, 2011; and

WHEREAS, it is necessary to authorize the City Auditor to transfer appropriation within the grants to properly align appropriations with the approved budget adjustments; and

WHEREAS, Ordinance 1683-09, passed on December 16, 2009, authorized the City Attorney to enter into a contract with J Investigations, LLC for the 2010VAWA Stalking Investigator Grant; and

WHEREAS, the City Attorney would like to modify the contract with J Investigations, LLC for stalking investigative services pursuant to the adjusted grant award for the 2010 VAWA Stalking Investigator Grant; and

WHEREAS, the City Attorney would like to enter into a contract with J Investigations, LLC for stalking investigative services pursuant to the adjusted grant award for the ARRA Stalking Investigative Specialists I & II Grant; and

WHEREAS, Ordinance 1610-10, passed on November 17, 2010, authorized the City Attorney to enter into a contract with Urban Advocacy for the ARRA Witness Assistance Database and Domestic Violence Advocate Grant; and

WHEREAS, the City Attorney would like to modify said contract with Urban Advocacy and Investigations, LLC and enter into a contract with J Investigations, LLC for stalking investigative services pursuant to the adjusted grant award for the ARRA Witness Assistance Database and Domestic Violence Advocate Grant; and

WHEREAS, it is in the best interest of the City to waive the provisions of Columbus City Codes Chapter 329 relative to the procurement of professional services in order to acquire the needed services within the grant award period; and

WHEREAS, an emergency exists in the usual daily operation of the City Attorney's Office in that it is immediately necessary to authorize such agreements in order that the services supported commence in a timely manner and for the preservation of the public health, peace, property, safety and welfare, and, now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Attorney is hereby authorized to modify a contract with J Investigations, LLC to provide stalking investigative services for the additional contract amount of Two Thousand One Hundred Dollars (\$2,100.00) under the 2010 VAWA Stalking Investigator Grant.

SECTION 2. That the City Auditor is hereby authorized and directed to transfer Two Thousand One Hundred Dollars (\$2,100.00) as follows:

FROM: department 2401, 2011 VAWA Stalking Investigator Grant, grant number 249020, fund number 220, organizational cost account 249020, object level three 1101.

TO: department 2401, 2011 VAWA Stalking Investigator Grant, grant number 249020, fund number 220, organizational cost account 249020, object level three 3336.

SECTION 3. That for the purposes stated in the forgoing Section 1 from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of Two Thousand One Hundred Dollars (\$2,100.00) is appropriated and authorized to be expended as follows: department 2401, 2011 VAWA Stalking Investigator Grant, grant number 249020, fund number 220, organizational cost account 249020, object level three 3336.

SECTION 4. That the City Attorney is hereby authorized to enter into a contract with J Investigations, LLC to provide stalking investigative services for the maximum contract amount of Two Thousand Five Hundred Twenty Dollars (\$2,520.00) under the ARRA Stalking Investigative Specialists I & II Grant.

SECTION 5. That the City Auditor is hereby authorized and directed to transfer Two Thousand Five Hundred Twenty Dollars (\$2,520.00) as follows:

FROM: department 2401, ARRA Stalking Investigative Specialists I & II Grant, grant number 249004, fund number 220, organizational cost account 249004, object level three 1101.

TO: department 2401, ARRA Stalking Investigative Specialists I & II Grant, grant number 249004, fund number 220, organizational cost account 249004, object level three 3336.

SECTION 6. That for the purposes stated in the forgoing Section 4 from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of Two Thousand Five Hundred Twenty Dollars (\$2,520.00) is appropriated and authorized to be expended as follows: department 2401, the ARRA Stalking Investigative Specialists I & II Grant, grant number 249004, fund number 220, organizational cost account 249004, object level three 3336.

SECTION 7. That the City Attorney is hereby authorized to modify a contract with Urban Advocacy and Investigations, LLC for the additional amount of Fourteen Thousand Nine Hundred Sixty Dollars (\$14,960.00) and to enter into a contract with J Investigations, LLC for the maximum contract amount of Two Thousand Six Hundred Twenty-five Dollars (\$2,625.00) to provide stalking investigative services under the ARRA Witness Assistance Database and Domestic Violence Advocate Grant.

SECTION 8. That the City Auditor is hereby authorized and directed to transfer One Hundred Twenty-nine and 10/100 Dollars (\$129.10) as follows:

FROM: department 2401, ARRA Witness Assistance Program Database and Domestic Violence Advocate Grant, grant number 249271, fund number 220, organizational cost account 249271, object level three 3336.

TO: department 2401, ARRA Witness Assistance Program Database and Domestic Violence Advocate Grant , grant number 249271, fund number 220, organizational cost account 249271, object level three 1101.

SECTION 9. That for the purposes stated in the forgoing Section 7 from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of Seventeen Thousand Five Hundred Eighty-five Dollars (\$17,585.00) is appropriated and authorized to be expended as follows: department 2401, ARRA Witness Assistance Program Database and Domestic Violence Advocate Grant, grant number 249271, fund number 220, organizational cost account 249271, object level three 1101.

SECTION 10. That the provisions of Columbus City Codes Chapter 329 relative to the procurement of professional services are hereby waived.

SECTION 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1792-2010

Drafting Date: 11/29/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: In 2010 the Division of Police purchased an Intelligence Casework Management Computer Software System from ACISS Systems, Inc. (Ordinance #0604-2010, passed 5/17/2010) to replace the intelligence system purchased in 1996 from Intellinetics, (formerly Avatar). The new Casework Management System enables Police to more efficiently organize current and future criminal intelligence data, which may be shared with local and state-wide law enforcement agencies and mobile units that have need of Police's support. The purchase of this new system was funded by the FY2009 Community Oriented Policing Services (COPS) Technology Program Grant (pursuant to Ordinance #1629-2009, passed 12/09/2009) and the Law Enforcement Drug Seizure Fund. The total amount awarded to the Division of Police was \$155,744.00. A total of \$123,750.00 covered the purchase of the system, further supported by \$45,058.50 in Law Enforcement Drug Seizure Funds to pay for on-going maintenance. The balance of the grant award was set aside to purchase data migration /interfacing and related services.

A portion of the data migration/interfacing services has been evaluated and quoted by ACISS Systems, Inc., to include related training. Additional services are anticipated, which will be determined and quoted upon completion of data migration/interfacing services.

BID INFORMATION: N/A

Contract Compliance No: 59-1922156, expires 2/12/2012

Emergency Designation: Emergency legislation is needed to allow sufficient time to process documents for the implementation and payment of this system within the effective award period.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$9,615.00 from the FY2009 COPS Justice Assistance Grant fund to purchase data migration/interfacing and related services as allowed under the terms of Contract EL010885. There will be no effect on the financial status of the General Fund.

Title

To authorize and direct the Director of Public Safety to modify an existing contract with ACISS Systems, Inc. to purchase data migration/interfacing and related services; to authorize the expenditure of \$9,615.00 from the Government Grant Fund; and to declare an emergency (\$9,615.00).

Body

WHEREAS, the Division of Police was awarded funding through the FY2009 COPS Technology Program Grant from the U.S. Department of Justice, Office of Community Oriented Policing Services, via the Franklin County Office of Homeland Security and Justice Programs, for the purchase of an Intelligence/Case Management System; and

WHEREAS, ACISS Systems, Inc. was awarded pursuant to RFP SA003277; and

WHEREAS, the balance of the grant award was set aside by the Division to cover data migration/interfacing and related costs, allowed under the terms of Contract EL010885; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to authorize and direct the Director of Public Safety to modify contract EL010885 with ACISS Systems, Inc. for the purchase of data migration/interfacing and related costs associated with the Investigative/Casework Management System, for the preservation of the public health, peace, property, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City of Columbus Director of Public Safety be and is hereby authorized and directed to modify contract EL010885 with ACISS Systems, Inc. to purchase data migration/interfacing and related services required for the Intelligence Casework Management System for the Division of Police, Department of Public Safety.

SECTION 2. That a portion of the data migration/conversion services has been evaluated and quoted by ACISS Systems, Inc., to include related training, as allowed under the terms of Contract EL010885.

SECTION 3. That the expenditure of \$9,615.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

| DIV 30-03 | FD 220 | OBJ1 02 | OBJ3 2224 | OCA 339054 | GRANT 339049 | 9,615.00 |

SECTION 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1794-2010

Drafting Date: 11/30/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND:

This legislation authorizes the City to reimburse the Ohio Department of Transportation in an amount up to \$3,003.20 for the Town Street Improvement project. ODOT recently completed accounting for this project and after final costs were calculated it was determined the City of Columbus received disbursement of funds in the amount of \$3,003.20 over the amount it should have been reimbursed. Therefore, this amount is now due to the Ohio Department of Transportation.

This improvement included the full depth replacement of Town Street with granite pavers, narrowing the existing roadway, and widening the sidewalks with tree lawns and trees. The project also included necessary sewer work in the area of the project.

2. FISCAL IMPACT:

Funding for this expense is available within the Street and Highway Improvement Fund for the Division of Design and Construction.

3. EMERGENCY DESIGNATION

Emergency action is requested to allow immediate payment of this expense in order to maintain proper accounting and to provide payment to ODOT at the earliest possible time.

TitleTo authorize the Director of Public Service to reimburse the Ohio Department of Transportation for costs incurred in the Town Street Improvement project; to amend the 2010 C.I.B; to authorize the transfer and expenditure of funds within the Street and Highway Improvement Fund in the amount of \$3,003.20 for the Division of Design and Construction; and to declare an emergency. (\$3,003.20)

BodyWHEREAS, the Ohio Department of Transportation recently completed final accounting for the Town Street Improvement project; and

WHEREAS, it was determined that the City received reimbursement in excess of what it should have received, and

WHEREAS, it is necessary to provide payment in the amount of \$3,003.20 to the Ohio Department of Transportation for this overpayment; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction that in order to maintain proper accounting practices and provide payment to ODOT expediently, it is necessary to authorize funding for this reimbursement; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be and is hereby authorized to reimburse the Ohio Department of Transportation for costs incurred in the construction of the Town Street Improvement project in the amount of up to \$3,003.20, for the Division of Design and Construction.

SECTION 2. That the 2010 C.I.B established within ordinance 0564-2010 be and hereby is amended as follows:

Fund /Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount

704 / 766999-100000 / Unallocated Balance Fd. 766 / \$39,499.00 (Carryover) / (\$3,003.20) (Carryover) / \$36,495.00 (Carryover)

766 / 530161-100059 / Roadway Improvements - Town Street Improvements / \$0.00 (Carryover) / \$3,003.20 (Carryover) / \$3,003.20 (Carryover)

SECTION 3. That the sum of \$3,003.20 be and hereby is appropriated from the unappropriated balance of Fund 766, the Street and Highway Improvement Fund, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2010, as follows:

59-12 Division of Design and Construction

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

766 / 766999-100000 / Unallocated Balance Fund 766 / 06/6600 / 766999/ \$3,003.20

SECTION 4. That the Transfer of monies within the Street and Highway Improvement Fund be authorized as follows:

Transfer from:

Fund / Project / Project Name / O.L. 01/03 Codes / OCA / Amount

766 / 766999-100000 / Unallocated Balance Fund 766 / 06/6600 / 766999 / \$3,003.20

Transfer to:

Fund / Project / Project Name / O.L. 01/03 Codes / OCA / Amount

SECTION 5. That the funds appropriated in Section 3 shall be paid upon the order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1797-2010

Drafting Date: 11/30/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance authorizes the transfer of funds between Object Levels within the City Attorney's Office to accommodate projected year end expenditures.

This ordinance is submitted as an emergency to allow these financial transactions to be posted in the City's account system as soon as possible. Up-to-date financial posting promotes accurate accounting and financial management.

Title

To authorize the City Auditor to transfer Thirty Thousand Dollars between Object Levels within the City Attorney's Office General Fund budget to provide funding necessary to cover year end expenditures; and to declare an emergency. (\$30,000.00)

Body

WHEREAS, anticipated expenditures within the various object levels for the remainder of 2010 necessitates the transfer of funds within the City Attorney's Office general fund budget; and,

WHEREAS, an emergency exists in the usual daily operation of the City Attorney's Office in that it is immediately necessary to transfer appropriation between Object Levels for the preservation of the public health, peace, property, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Auditor is hereby authorized and directed to transfer Thirty Thousand Dollars (\$30,000.00) as follows:

FROM: department 2401, general fund, fund number 010, organizational cost account 240101, object level three 3332.

TO: department 2401, division 2404, fund number 010, organizational cost account 240390, object level three 1101.

SECTION 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1798-2010

Drafting Date: 12/01/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance provides for the transfer of \$385,500.00 in the general fund between divisions within the Finance and Management Department. The transfer does not affect the overall general fund budget or overall departmental projections of the Third Quarter Financial Review.

Emergency action is requested so as to allow these financial transactions to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

Fiscal Impact: The ordinance transfers general fund appropriation between divisions of the Finance and Management Department. It will not change the overall balance of the General Fund.

TitleTo authorize and direct the City Auditor to provide for the transfer of \$385,500.00 between divisions within the Finance and Management general fund budget so that rest of year expenditures occur in the proper accounting codes; and to declare an emergency. (\$385,500.00)

BodyWHEREAS, it is necessary to transfer funds between divisions within the Finance and Management Department; and

WHEREAS, it is necessary to reduce an encumbrance in the Facilities Management Division, and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary transfer funds so that financial transactions are posted in the City's accounting system as soon as possible, for the immediate preservation of the public health, peace, property, safety and welfare; now, Therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Auditor is hereby authorized and directed to transfer \$385,500.00 between Finance and Management Department divisions within the general fund, fund 010, as follows:

FROM:

Dept/Div.: 45-07; Fund: 010; OCA: 450043; OL3: 3311; Amount: \$295,000.00

Dept/Div.: 45-07; Fund: 010; OCA: 450040; OL3: 2204; Amount: \$20,000.00

Dept/Div.: 45-01; Fund: 010; OCA: 450015; OL3: 3337; Amount: \$10,000.00

Dept/Div.: 45-51; Fund: 010; OCA: 450037; OL3: 3000; Amount: \$3,000.00

Dept/Div.: 45-51; Fund: 010; OCA: 450037; OL3: 1000; Amount: \$57,500.00

TO:

Dept/Div.: 45-50; Fund: 010; OCA: 450035; OL3: 1000; Amount: \$385,500.00

SECTION 2. That the City Auditor is hereby authorized and directed to unencumber a total of \$285,000.00 on document DE085347.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1799-2010

Drafting Date: 12/01/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The Department of Development has determined to facilitate the redevelopment of certain parcels of real property in the City generally known as the former Columbus Coated Fabrics Site and other nearby properties, and, in connection with that redevelopment, the City has entered into an Economic Development Agreement with Wagenbrenner Development, Inc., by which the City agreed to create a tax increment financing (TIF) incentive district on neighborhood parcels pursuant to Section 5709.40(C) of the Ohio Revised Code. As required to create TIF incentive districts under that Section 5709.40(C), the City has previously approved an economic development plan by its Ordinance No. 1966-2008 passed January 26, 2009.

In order to implement that Economic Development Agreement, the attached Ordinance creates an incentive district and provides for a 100% exemption from real property taxation on all improvements to parcels within that incentive district for a period of not more than thirty (30) years. The Columbus City School District will receive, in the same manner as usual, all amounts that it would have received in real property taxes had the tax exemption not been granted. Annual service payments in lieu of taxes will be made with respect to improvements to the TIF parcels. The applicable portion of those service payments will be distributed directly to the Columbus City School District, with the remaining non-school portion of those service payments paid to the City for deposit into the TIF fund established in the Ordinance to be used to fund public infrastructure improvements benefiting or serving the incentive district.

Fiscal Impact: No City funding is required for this legislation. The City is foregoing real property tax revenue that it would have received from development in the TIF incentive district. Instead, the non-school portion of that revenue will be diverted to the TIF fund.

Title

To create a tax increment financing incentive district to be known as the "Weinland Park Incentive District" encompassing certain parcels of real property; to declare improvements to those parcels to be a public purpose and exempt from real property taxation; to require the owners of those parcels to make service payments in lieu of taxes; to require the distribution of the applicable portion of those service payments to the Columbus City School District; to establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of those service payments; to specify the public infrastructure improvements that directly benefit or serve parcels in the incentive district; and to declare an emergency.

Body

WHEREAS, Sections 5709.40(C), 5709.42 and 5709.43 of the Ohio Revised Code (collectively, the "TIF Statutes") authorize this Council, by ordinance, to create an incentive district within the corporate boundaries of the City of Columbus, Ohio (the "City"), declare the improvement to each parcel of real property located within the incentive district to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, require the distribution of the applicable portion of such service payments to the city, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit or serve, or that once made will directly benefit or serve, parcels in the incentive district; and

WHEREAS, the City Department of Development has determined to facilitate the urban redevelopment of certain parcels of real property generally known as the former Columbus Coated Fabrics site and other properties in the area in the City, and has entered into an Economic Development Agreement with Wagenbrenner Development, Inc. (the "Developer"), by which the City agreed to create a tax increment financing ("TIF") incentive district encompassing certain parcels pursuant to Section 5709.40(C) of the Ohio Revised Code;

WHEREAS, Ohio Revised Code Section 5709.40(A) requires an incentive district to have one or more distress characteristics, which may include inadequate public infrastructure serving the district as evidenced by a written economic development plan for the district; and

WHEREAS, the City Department of Development desires to create the Weinland Park Incentive District (the "Incentive District"), the boundary of which shall be coextensive with the boundary of, and shall include, the parcels of real property specifically identified and depicted in Exhibit A attached hereto (with each current or future parcel of such real property referred to herein individually as a "Parcel" and collectively as the "Parcels"); and

WHEREAS, by Ordinance No. 1966-2008 passed January 26, 2009, this Council approved an Economic Development Plan for the Incentive District (the "Development Plan"), which Development Plan is on file in the City Department of Development; and

WHEREAS, the City Engineer has certified to this Council that (i) the Incentive District is less than 300 acres in size and is enclosed by a contiguous boundary, and (ii) the public infrastructure serving the Incentive District is inadequate to meet the development needs of the Incentive District as evidenced by the Development Plan; and

WHEREAS, the Director of the City Department of Development has determined that the taxable value of real property in the Incentive District for tax year 2009, together with the taxable value of the real property for tax year 2009 in all other TIF incentive districts created by the City under Section 5709.40(C) of the Ohio Revised Code, does not exceed twenty-five percent (25%) of the taxable value of all real property in the City for tax year 2009; and

WHEREAS, this Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation one hundred percent (100%) of the improvement to each Parcel as permitted and provided in Section 5709.40(C) of the Ohio Revised Code for up to thirty (30) years (the "TIF Exemption") and to simultaneously direct and require the current and future owners of each Parcel (each such owner individually, an "Owner," and collectively, the "Owners") to make annual Service Payments (as defined in Section 2 of this Ordinance) in lieu of real property tax payments, in the same amount as they would have made real property tax payments except for the exemption provided by this Ordinance; provided that the TIF Exemption and the obligation to make Service Payments are subject and subordinate to any tax exemption applicable to the Parcel pursuant to Sections 3735.65 through 3735.70 or 5709.61 through 5709.69 of the Ohio Revised Code; and

WHEREAS, the City has determined that a portion of the Service Payments shall be paid directly to the Columbus City School District (the "School District") in an amount equal to the real property taxes that School District would have been paid if the improvement to each Parcel had not been exempt from taxation pursuant to this Ordinance; and

WHEREAS, pursuant to Section 5709.43(A) of the Ohio Revised Code, this Council has determined to establish a municipal public improvement tax increment equivalent fund for the Incentive District, in which there shall be deposited the Service Payments distributed to be to the City as provided herein; and

WHEREAS, this Council has determined to provide for the public infrastructure improvements described in Exhibit B attached hereto (the "Public Improvements"), which Public Improvements, once made, will directly benefit or serve parcels in the Incentive District; and

WHEREAS, notice of this proposed Ordinance has been delivered to the Board of Education of the School District in accordance with and within the time periods prescribed in Sections 5709.40 and 5709.83 of the Ohio Revised Code, to the Franklin County Board of County Commissioners in accordance with and within the time periods prescribed in Section 5709.40(E) of the Ohio Revised Code, and to the owners of real property in the Incentive District in accordance with and within the time periods prescribed in Section 5709.40(C)(2) of the Ohio Revised Code; and

WHEREAS, this Council held a public hearing on this Ordinance on May 17, 2010; and

WHEREAS, an emergency exists in that this Ordinance is required to be immediately effective in order to facilitate the development of the Parcels, such immediate action being necessary for the preservation of the public health, peace,

property and safety; **NOW, THEREFORE,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Creation of Incentive District; Within 25% Limitation; Incentive District Projects. Pursuant to the TIF Statutes, this Council hereby creates the "Weinland Park Incentive District", the boundaries of which shall be coextensive with the boundary of, and shall include, the parcels of real property specifically identified and depicted in Exhibit A. This Council finds and determines that the taxable value of real property in the Incentive District for tax year 2009, together with the taxable value of the real property for tax year 2009 in all other TIF incentive districts created by the City under Section 5709.40(C) of the Ohio Revised Code, does not exceed twenty-five percent (25%) of the taxable value of real property in the City for tax year 2009. This Council further finds and determines that the current anticipated development includes the construction of at least 21 new homes, the renovation of to up to 100 existing homes, the construction of a new mixed-use commercial and residential development on a remediated former industrial site, the construction of a new community garden network and other new residential and commercial, civic and recreational facilities which will place additional demand on the Public Improvements.

Section 2. Authorization of Tax Exemption. Pursuant to and in accordance with the provisions of Section 5709.40(C) of the Ohio Revised Code, this Council hereby finds and determines that one hundred percent (100%) of the increase in assessed value of each Parcel subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in Section 5709.40(A) of the Ohio Revised Code) is hereby declared to be a public purpose and shall be exempt from taxation for a period coextensive with the life of the Incentive District, which life commences with the first tax year that begins after the effective date of this Ordinance and in which an Improvement would first appear on the tax list and duplicate of real and public utility property for a Parcel in the Incentive District were it not for the TIF Exemption and ends on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes.

Notwithstanding any other provision of this Ordinance, the TIF Exemption granted pursuant to this Section 2 and the payment obligations established pursuant to Section 3 of this Ordinance are subject and subordinate to any tax exemption applicable to the Improvement pursuant to Sections 3735.65 through 3735.70 or 5709.61 through 5709.69 of the Ohio Revised Code.

Section 3. Service Payments and Property Tax Rollback Payments. Subject to any tax exemption applicable to the Improvement pursuant to Sections 3735.65 through 3735.70 or 5709.61 through 5709.69 of the Ohio Revised Code, and pursuant to Section 5709.42 of the Ohio Revised Code, this Council hereby directs and requires the Owner of each Parcel to make annual service payments in lieu of taxes with respect to the Improvement allocable thereto to the Franklin County Treasurer (the "County Treasurer") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then current rate established under Sections 323.121 and 5703.47 of the Ohio Revised Code (collectively, the "Service Payments"), shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation pursuant to Section 2 of this Ordinance. The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by Sections 319.302, 321.24, 323.152 and 323.156 of the Ohio Revised Code, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time

to time (the "Property Tax Rollback Payments"), shall be allocated and distributed in accordance with Section 5 of this Ordinance. This Council further hereby authorizes and directs appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments from the Owners, including the preparation and filing of any necessary exemption applications.

Section 4. Tax Increment Equivalent Fund. This Council hereby establishes, pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, a municipal public improvement tax increment equivalent fund (the "Weinland Park .40(C) TIF Fund"), into which the County Treasurer shall deposit the Service Payments and Property Tax Rollback Payments collected with respect to the Parcels that are not required to be distributed to the School District, Franklin County or certain other agencies pursuant to Section 5 of this Ordinance. That Weinland Park .40(C) TIF Fund shall be maintained in the custody of the City and shall receive the distributions to be made to the City pursuant to Section 5 of this Ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement to each Parcel and so deposited pursuant to Sections 5709.42 and 5709.43 of the Ohio Revised Code shall be used solely for the purposes authorized in the TIF Statutes and this Ordinance. The Weinland Park .40(C) TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the Weinland Park .40(C) TIF Fund shall be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with Section 5709.43 of the Ohio Revised Code.

Section 5. Distribution of Service Payments. Pursuant to the TIF Statutes, the County Treasurer is requested to distribute the Service Payments and the Property Tax Rollback Payments as follows:

- (i) to the School District, an amount equal to the amount that School District would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to the Parcels if that Improvement had not been exempt from taxation pursuant to this Ordinance;
- (ii) to Franklin County or the agencies specified under Section 5709.40(F) of the Ohio Revised Code, the amounts payable to those entities pursuant to Section 5709.40(E), 5709.40(F) or 5709.913 of the Ohio Revised Code; and
- (iii) to the City, all remaining amounts for further deposit into the Weinland Park .40(C) TIF Fund for payment of costs of the Public Improvements.

All distributions required under this Section 5 are requested to be made at the same time and in the same manner as real property tax distributions.

Section 6. Public Infrastructure Improvements. This Council hereby designates the Public Improvements described in Exhibit B attached hereto, and any other public infrastructure improvements hereafter designated by ordinance as public infrastructure improvements, as public infrastructure improvements made, to be made or in the process of being made by the City that directly benefit or serve, or that once made will directly benefit or serve, parcels in the Incentive District.

Section 7. Non-Discriminatory Hiring Policy. In accordance with Section 5709.832 of the Ohio Revised Code, this Council hereby finds that the City has developed policies to ensure that recipients of the benefit of the TIF Exemption shall not deny any individual employment solely on the basis of race, religion, sex, disability, color, national origin or ancestry.

Section 8. Further Authorizations. This Council ratifies the delivery of the notices of this Ordinance to the

School District, Franklin County Board of County Commissioners and owners of real property within the Incentive District and hereby authorizes and directs the Director, the City Clerk or other appropriate officers of the City to make such arrangements as are necessary and proper for collection from the Owners of the Service Payments. This Council further authorizes and directs the Director, the City Clerk or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance and the TIF Agreement.

Section 9. Filings with Ohio Department of Development. Pursuant to Section 5709.40(I) of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of Development of the State of Ohio within fifteen (15) days after its effective date. Further, on or before March 31 of each year the exemption set forth in Section 2 of this Ordinance remains in effect, the Director, Clerk of Council or other authorized officer of the City shall prepare and submit to the Director of Development of the State of Ohio the status report required under Section 5709.40(I) of the Ohio Revised Code.

Section 10. Tax Incentive Review Council. The City's Tax Incentive Review Council shall review annually all exemptions from taxation resulting from the declarations set forth in this Ordinance and any other matters as may properly come before that Council, all in accordance with Section 5709.85 of the Ohio Revised Code.

Section 11. Effective Date. For the reasons stated in the Preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after the passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1800-2010

Drafting Date: 12/01/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation **AN10-005**

BACKGROUND: This ordinance is being submitted to authorize the Director of Development to file a municipal annexation petition for a 15.679 acre site in Franklin Township, Franklin County. This property was purchased by the City for use in operations associated with the Jackson Pike Wastewater Treatment facility. The site is adjacent to other City property and is currently used as an operations center for a major sewer system improvement project. Permanent sewer system facilities will be established at this location. Annexation will allow the current operations and associated employment to take place in the City limits. Additionally, this ordinance provides for the acceptance of the property by the City upon approval of the petition by the Franklin County Commissioners. This ordinance is required by the Ohio Revised Code as enacted by the General Assembly of the State of Ohio. Upon approval by City Council, a certified copy of this ordinance will be provided to the Franklin County Commissioners in conjunction with an annexation petition.

This ordinance is filed as emergency legislation as work is already underway on the site and the City wishes to complete the annexation as soon as possible.

FISCAL IMPACT: This ordinance has no direct fiscal impact. While the provision of the city services will represent a cost to the city, this annexation will also create revenue through the employment taking place on the site.

Title

To authorize the Director of Development to file a municipal petition for the annexation of 15.679 acres within Franklin

Township as provided in section 709.16 of the Ohio Revised Code and to provide for acceptance of the property by the City of Columbus upon approval of the petition by the Board of Franklin County Commissioners; and to declare an emergency.

Body

WHEREAS, the City of Columbus purchased 15.679 acres in Franklin Township adjacent to the Jackson Pike Wastewater Treatment facility for uses associated with that operation; and

WHEREAS, the site is not currently within the City of Columbus; and

WHEREAS, annexation will allow the current operations and associated employment to take place in the City limits as is the case with the adjacent City properties; and

WHEREAS, section 709.16 of the Ohio Revised Code allows for municipalities to file annexation petitions of territory owned by the municipality, a county or the state; and

WHEREAS, the City is able to provide municipal services to this site; and

WHEREAS, authorization by City Council is necessary for submission of a municipal annexation petition to the Board of Franklin County Commissioners; and

WHEREAS, upon receipt of the petition by the City to annex the site, the Board of Franklin County Commissioners must take action within 30 days; and

WHEREAS, the City of Columbus desires to add the referenced territory described in detail in section 1 below to its boundaries if the petition is approved by the Board of Franklin County Commissioners; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code to allow for timely coordination with the County regarding the redevelopment of this property, thereby preserving the public health, peace, property, safety, and welfare; and **NOW THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the director of development is authorized to file a municipal petition for annexation as outlined in section 709.16 of the Ohio Revised Code of 15.679+/- acres in Franklin Township, Franklin County, located on Jackson Pike adjacent to the City's Jackson Pike Wastewater Treatment facility and described more specifically as follows:

Situated in the State of Ohio, County of Franklin, Township of Franklin, and being a part of Original Survey Number 420 of the Virginia Military Lands and being all of the 15.679 acre tract conveyed to The City of Columbus, Ohio by deed of record found filed as Instrument Number 200912220184260 of the records of the Recorder of Franklin County, Ohio, and being more particularly described as follows:

COMMENCING FOR REFERENCE at the centerline intersection of Jackson Pike (width varies) and Frank Road (width varies);

Thence along the said centerline of Jackson Pike, southwardly for a distance of approximately 1330 feet to a point;

Thence leaving the said centerline, eastwardly for a distance of approximately 45 feet to a point on the easterly right of way line of the said Jackson Pike, the said right of way line also being the line between existing Franklin Township limits and existing City of Columbus Corporation limits as created by Ordinance Number 2730-92 as recorded in Official Record Book Volume 21655, Page D08, the said point also being at the northwesterly corner of the said 15.679 acre tract and the

southwesterly corner of a 7.184 acre parcel owned by Inland Products Inc. known as Franklin County Auditor's Parcel Number 140-000331 and the TRUE POINT OF BEGINNING of the parcel herein described.

Thence crossing through said existing Franklin Township and along the northerly line of the said 15.679 acre tract and the southerly line of the said Inland Products Inc. parcel, eastwardly for a distance of approximately 1035 feet to a point at the northeasterly corner of the said 15.679 acre tract, the southeasterly corner of the said Inland Products Inc. parcel, and on a westerly line of a 105.295 acre parcel (calculated area) owned by City of Columbus known as Franklin County Auditor's Parcel Number 010-095230, the said westerly line also being the line between existing Franklin Township limits and existing City of Columbus Corporation limits as created by Ordinance Number 1398-63 as recorded in Miscellaneous Book Volume 137, Page 577;

Thence along the easterly line of the said 15.679 acre tract, a westerly line of the said City of Columbus parcel, and the said Corporation line, southwardly for a distance of approximately 608 feet to a point at the southeasterly corner of the said 15.679 acre tract and a corner of the said City of Columbus parcel;

Thence along the southerly line of the said 15.679 acre tract, a northerly line of the said City of Columbus parcel, and the said Corporation line, westwardly for a distance of approximately 1529 feet to a point at the southwesterly corner of the said 15.679 acre tract and on the easterly right of way line of the said Jackson Pike;

Thence along the westerly line of the said 15.679 acre tract, easterly right of way line of the said Jackson Pike, and the said Corporation line, northwardly for a distance of approximately 262 feet to an angle point;

Thence continuing along the westerly line of the said 15.679 acre tract and easterly right of way line of the said Jackson Pike, northwardly for a distance of approximately 313 feet to the TRUE POINT OF BEGINNING, containing 15.679 acres, more or less.

Section 2. That the City of Columbus will accept the territory described in section 1 upon approval of the petition by the Board of Franklin County Commissioners and that the City Clerk is hereby authorized and directed to perform such acts as set forth in R.C. 709.06, or as otherwise required by law, in order to ensure the proper recording of the annexation.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1801-2010

Drafting Date: 12/01/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: This ordinance authorizes the purchase five custom tilt-cab pumpers (engines) for the Fire Division from an existing State of Ohio Term Contract with Sutphen Corporation. The Fire Division has a need to replace engines that are beyond their useful life and have high maintenance costs. Utilizing the State Term Contract will permit the timely ordering of custom tilt-cab pumpers (engines) from a local vendor, at a comparable price to previous purchases over the past three years. Included with the engine purchases will be all pertinent equipment utilized on the respective vehicles (i.e. ladders, hose, generators, communications equipment, etc.). This purchase between the City of Columbus and State of Ohio is authorized by Ordinance 582-87 that allows for the cooperative purchasing between the State of Ohio Department of Administrative Services Cooperative Contracts and other governmental entities.

Bid Information: A State of Ohio Term Contract exists for this purchase.

Contract Compliance: Sutphen Corporation 310671786 exp. 2/22/2012

Emergency Designation: This legislation is to be considered an emergency measure to allow for the immediate use of funds and immediate purchase of this apparatus.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$2,453,996.20 from the Public Safety Capital fund, using Gov'l B.A.B. (Build America Bonds), to purchase five custom tilt-cab pumpers (engines) for the Fire Division from an existing State of Ohio Term Contract established with Sutphen Corporation. The Division of Fire budgeted \$2.5 million in the 2010 capital budget to replacement engines. The Fire Division spent \$1 million in 2009 to purchase two engines; \$2,975,000.00 in 2008 to purchase seven engines, and \$3,375,00.00 in 2007 to purchase eight engines. TitleTo authorize and direct the Finance and Management Director to issue a purchase order for custom tilt-cab pumpers for the Division of Fire from an existing Cooperative State of Ohio Term Contract established for such purpose by the State of Ohio Department of Administrative Services Purchasing Office with Sutphen Corporation, to authorize the expenditure of \$2,453,996.20 from the Department of Public Safety's Gov'l B.A.B's (Build America Bonds); and to declare an emergency. (\$2,453,996.20)

Body**WHEREAS**, the Fire Division is in need to purchase custom tilt-cab pumpers; and

WHEREAS, a State of Ohio Term Contract established by the State of Ohio, Department of Administrative Services Purchasing Office exists for these purchases; and

WHEREAS, Ordinance 582-87 authorized this cooperative purchasing effort between the State of Ohio and other governmental entities; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, in that it is necessary to purchase said pumpers, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to issue a purchase order for the purchase of said pumpers for the Fire Division in accordance with the existing state of Ohio Term Contract established by the State of Ohio Purchasing Office with Sutphen Corporation.

SECTION 2. That the expenditure of \$2,453,996.20, or so much thereof as may be necessary, be and is hereby authorized from the Public Safety's Gov'l B.A.B's (Build America Bonds), Fund 746, Division of Fire No. 3004, Object Level One 06, Object Level Three 6652, OCA 711014, Project #340101-100004 Fire Apparatus Replacement - Engines.

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves or vetoes the same.

Legislation Number: 1802-2010

Drafting Date: 12/01/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

ExplanationBids were received by the Recreation and Parks Department on November 23, 2010 for the Wolfe Park Shelter House Improvements Project as follows:

	<u>Status</u>	<u>Base Bid Amount</u>
RW Setterlin	MAJ	\$803,770
Quality Masonry	MAJ	\$807,000
Thomas & Marker	MAJ	\$859,648

Ardmore Construction	FBE	\$940,500
Lincoln Construction	MAJ	\$956,716
Central Ohio Building	MAJ	\$998,080

Project work consists of:

New walks; new patio, steps and handicap ramp; new water service with drinking fountain, fire hydrant, meter pit; new sanitary sewer service; new electric service; selective demolition; roof, gutter, downspout replacement; window, door, hardware replacement; masonry repairs; new siding; new men's and women's restrooms; new bridal suite, kitchenette and attendant workspace and storage room; new finishes and painting; replacement of plumbing; replacement of HVAC; replacement of electrical systems; replacement of 2,600 lineal feet of wood roof decking which includes removal of deteriorated 5/4" x 8" T&G wood roof decking and disposing it off-site and then replacing it with new 5/4" x 8" T&G wood roof decking to match existing roof decking in thickness and width; water capacity charge for a private fire hydrant; and electrical service upgrade to 480 volt three-phase.

The Contract Compliance Number for RW Setterlin Building Co. is #31-0836188.
 Contract compliant through: 11/26/2012

Emergency Justification:

An emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to enter into said contract in order to begin construction as soon as possible to create the least amount of impact during peak rental times.

Financial Impact:

\$884,200.00 from the Voted Recreation & Parks Bond Fund.

TitleTo authorize and direct the Director of Recreation and Parks to enter into contract with RW Setterlin Building Co. for the Wolfe Park Shelter House Improvements Project; to authorize the expenditure \$884,200.00 from the Voted Recreation and Parks Bond Fund; and to declare an emergency. (\$884,200.00)

Body

WHEREAS, bids were received by the Recreation and Parks Department on November 23, 2010 for the Wolfe Park Shelter House Improvements Project; and

WHEREAS, it is necessary to enter into contract with RW Setterlin for the Wolfe Park Shelter House Improvements Project for the renovation of the existing shelter house; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract in order to begin work immediately and complete project prior to peak rental season; **NOW, THEREFORE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with RW Setterlin for the Wolfe Park Shelter House Improvements Project for the renovation of the existing shelter house.

SECTION 2. That the expenditure of \$884,200.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Build American Bond Fund No. 746, Dept. 51-01, as follows, to pay the cost thereof.

<u>Fund Type</u>	<u>Project No.</u>	<u>Name</u>	<u>Object Level 3</u>	<u>Code</u>	<u>OCA Amount</u>
Cap. Proj.	510035-100042	Wolf Park Shelter	6620	763542	\$665,000

OCA

<u>Fund Type</u>	<u>Project No.</u>	<u>Name</u>	<u>Object Level 3</u>	<u>Code</u>	<u>Amount</u>
Cap. Proj.	510035-100045	Shelter Renovations	6620	763545	\$219,200

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this legislation.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1803-2010

Drafting Date: 12/02/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: This ordinance authorizes an expenditure of \$21,056.95 for the Division of Police to pay prisoner medical bills to The Ohio State University Hospitals. The Division of Police is responsible for medical care provided to prisoners in police custody. The Division of Police works with the City Attorney's office to determine if individuals were incarcerated or in the custody of the Division of Police during the specified dates of services on the medical invoices. These invoices are also reviewed by our current contractor, Careworks, who verifies all the charges on the invoices and negotiates the cost with the hospital staff.

Contract Compliance: The Ohio State University Hospital. 311340739 - NPO.

Emergency Designation: Emergency legislation is requested for this ordinance in order to pay outstanding prisoner medical bills.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$21,056.95 from the General Fund for payment of prisoner medical bills to The Ohio State University Hospitals. The Division of Police budgeted \$375,000.00 in the 2010 General Fund budget for medical services for prisoners. With this expenditure, the Division has encumbered or spent approximately \$936,000.00 for prisoner medical claims. Deficits were projected in the third quarter financial review. The Division spent approximately \$468,652.00 for prisoner medical bills in 2009.

TitleTo authorize and direct the Director of Public Safety to pay prisoner medical bills to The Ohio State University Hospitals, for the Division of Police, to authorize the expenditure of \$21,056.95 from the General Fund; and to declare an emergency. (\$21,056.95)

BodyWHEREAS, pursuant to the City Attorney's office, the Division of Police findings, and Careworks, the Division is responsible for the medical bills or prisoners in our custody or otherwise incarcerated under violations of city code(s); and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary for payment of prisoner medical invoices to The Ohio State University for the preservation of public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Safety be and is hereby authorized and directed to pay The Ohio State University Hospitals for prisoner medical bills.

SECTION 2. That the expenditure of \$21,056.95, or so much thereof as may be needed, be and the same is hereby authorized as follows:

<u>DIV</u>	<u>FUND</u>	<u>OBJ LEV (1)</u>	<u>OBJ LEV (3)</u>	<u>OCA#</u>
30-03	010	03	3413	301382

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be enforced from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1818-2010

Drafting Date: 12/08/2010

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationAt the direction of the President of City Council, this legislation authorizes and directs the Director of the Department of Development to modify contract EL010380 with the Community Shelter Board by adding \$300,000.00 from the General Fund to the existing contract.

Based upon data provided by the Community Shelter Board, City Council determined the necessity to respond without delay to the significant increase in demand for emergency shelter during the cold weather months. In 2010, demand has spiked far beyond comparative numbers from 2009. Through November of this year, families seeking emergency housing beyond the capacity of existing shelters produced an alarming 3,757% increase in family overflow shelter nights as compared to the entire calendar year in 2009 (2160 shelter nights compared to 56). Furthermore, single adult overflow in October and November of 2010 has increased 41% as compared to the same time period in 2009 (3344 shelter nights compared to 2366). As the weather becomes even more severe, both family and single adult overflow is expected to escalate.

By authorizing and directing the appropriation and expenditure of \$300,000 in the General Fund, City Council will ensure the city's uninterrupted support for homeless shelters. The Community Shelter Board will disburse the additional funds to various providers of services to homeless individuals and families, and will monitor those provider activities. The Community Shelter Board has been selected because of their history with the city and the homeless service community in the coordination of emergency shelter services, as well as, the Community Shelter Board's established administrative procedures to effectively and efficiently implement such services.

FISCAL IMPACT:

Funds are available in the General Fund for this appropriation and expenditure.

TitleTo authorize the appropriation of \$300,000.00 from the General Fund to the Department of Development; to authorize and direct the Director of the Department of Development to execute a contract modification with the

Community Shelter Board for the purpose of continuing the city's support for homeless emergency shelters; to authorize the expenditure of \$300,000.00 from the General Fund and to declare an emergency. (\$300,000.00)

Body

WHEREAS, a need exists for homeless emergency shelters; and

WHEREAS, funds are available in the General Fund; and

WHEREAS, the City Council desires to authorize and direct the Director of the Department of Development to execute a contract modification with the Community Shelter Board; and

WHEREAS, the city continues to support the Community Shelter Board's work with emergency shelter for homeless individuals and families; and

WHEREAS, this program has effectively and efficiently enabled our community to help individuals and families who are homeless resolve their housing crisis; and

WHEREAS, an emergency exists in the usual daily operation of the city in that it is immediately necessary to modify a contract with the Community Shelter Board so that vital services will not be interrupted, all for the preservation of the public health, peace, property, safety and welfare; and Now, Therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That this Council appropriates \$300,000 within the General Fund as follows:

<u>Division</u>	<u>Fund</u>	<u>OCA Code</u>	<u>Object Level 3</u>	<u>Amount</u>
44-10	010	440284	3337	\$300,000

SECTION 2. That the Director of the Department of Development is hereby authorized and directed to modify contract EL010380 with the Community Shelter Board for the purpose of continuing the city's uninterrupted support for emergency shelters for homeless individuals and families.

SECTION 3. That the Director of the Department of Development is hereby authorized and directed to execute all necessary documents relative to the modification of contract EL010380 to guarantee the Community Shelter Board shall be in receipt of \$300,000 no later than close of business on December 16, 2010.

SECTION 4. That this contract is awarded pursuant to Section 329.15 of the Columbus City Code, 1959, as amended.

SECTION 5. That for the purpose as stated in Section 2, the expenditure of \$300,000 or so much thereof as may be necessary and be and is hereby authorized and directed to be expended from the Department of Development, Department No. 44-10, Fund 010, Object Level One 03, Object Level Three 3337, OCA Code 440284 no later than close of business on December 16, 2010.

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1824-2010

Drafting Date: 12/13/2010

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into an agreement with the Board of Commissioners of Franklin County, Ohio ("County") that will replace the current master meter contract with a standard full service agreement for water service for the Rickenbacker Service area defined in the agreement. In addition, the agreement provides that the City will provide water service to two residential subdivisions or parks located within the County totaling 345 units. The agreement also establishes a working group comprised of Columbus and County personnel to establish a new policy for providing city water service to areas within the county where public health concerns are an issue. The agreement includes amending the existing Rickenbacker Sewer Service Contract between the City and County wherein Columbus agrees to assume all responsibilities of the County for the Rickenbacker service area. Lastly, the agreement includes redrawing of certain district boundaries for sewage disposal.

Emergency action is requested to commence important modifications to the agreements for water and sewer service arrangements with the County and to implement important changes to sewer service areas.

FISCAL IMPACT:

There is no impact on the water and sewer service budget

Title

To authorize the Director of Public Utilities to enter into a contract with the Board of County Commissioners of Franklin County, Ohio to provide for amendments to existing agreements with the City of Columbus dealing with the provision of water and sewer services within Franklin County and to redraw certain district boundaries for sewage disposal; and to declare an emergency.

Body

WHEREAS, the County and Columbus have engaged in negotiations to address longstanding issues relating to surplus sewer and water services to areas of the County not within the corporative boundaries of Columbus; and

WHEREAS, key considerations in these negotiations include environmental and public health concerns, economic development, orderly growth, cost-effective provision of services, tax base growth, and annexation; and

WHEREAS, this agreement is the result of ongoing dialogue between Columbus and the County to address these issues through intergovernmental cooperation; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to commence important modifications to the agreements for water and sewer service arrangements with the County and to implement important changes to sewer service areas for the preservation of public health, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Contract substantially in the form attached hereto or on file with the Clerk, including exhibits thereto, are approved, and the Director of the Department of Public Utilities (the "Director") is hereby authorized to execute the Contract.

SECTION 2. That the Director is authorized to take all actions necessary to implement the Contract including executing the agreements for water and sewer service referenced in the Contract for 2011 and developing a new water service policy with the County for certain areas as referenced in the Contract.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

City RFPs, RFQs, and Bids

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:

<http://vendorservices.columbus.gov/e-proc/venSolicitationsAll.asp?link=Open+Solicitations&cboType=B>

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE: Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.35 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

LOCAL CREDIT: For all contracts EXCEPT PROFESSIONAL SERVICE CONTRACTS: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSALS CALL THE LISTED DIVISION

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - December 28, 2010 2:00 pm

SA003779 - OCM-RENOV OF CNG FUEL STATION EQUIPMENT

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

RENOVATION FOR COMPRESSED NATURAL GAS FUELING STATION EQUIPMENT,
FOR THE CITY OF COLUMBUS AT 4211 GROVES ROAD, COLUMBUS, OHIO 43227

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain formal bids to establish a contract for: RENOVATION FOR COMPRESSED NATURAL GAS FUELING STATION EQUIPMENT, FOR THE CITY OF COLUMBUS AT 4211 GROVES ROAD, COLUMBUS, OHIO 43227 for November 24 thru December 28, 2010, 2 P.M. E.S.T.

1.2 Classification: This is a single prime project. No pre-bid meeting needed for this project. Walk-thrus are welcomed at 4211 Groves Road, Columbus, Ohio 43227. Please contact Bill Burns at 614-645-6206. This is a Federal prevailing wage (Davis Bacon Act) project requiring bonding and insurance.

Brief description - bid for Compressed Natural Gas (CNG) fueling station equipment. This equipment will be installed by others at the site. The supplier is to conduct start-up of the equipment after installation. The CNG station will be used to provide fast fill to a variety of light and heavy vehicles.

Local taxes - a City of Columbus withholding tax of 2.5% is in effect for on-site labor beyond twelve (12) days.

Shipping and freight - The City does not pay for S & H as a separate invoice, it must be included within the ? Equipment value?. Total equipment/installation estimate is \$1,000,000.00.

PROJECT NOTICE - Funding for this project is provided from the Department of Energy Clean Cities of the American Recovery and Reinvestment Act of 2009

Addendums - All questions and concerns pertaining to the drawings or specs shall be directed in writing to: Brian S. Lewie of the City of Columbus via Fax (614) 645-0254 or Email bslewie@columbus.gov and CC copy to Rob Adams of Marathon Technical Services via Fax (519) 699-9255 or Email radams@marathontech.ca prior to Monday, December 20, 2010 by 1:00 P.M. E.S.T.

Bid Documents - hard copies must be returned by bid opening, December 28, 2010 by 2 P.M. E.S.T. Please allow for mailing/courier at this time of the year.

Printing - Specifications will be available on Wednesday, November 24, 2010 at 90 West Broad Street, Room B-41, Columbus, Ohio 43215. No cost for the first set. The City can not ship the bid documents. They must be picked up in person or by courier. Please ensure that the vendor's contact information (Company, contact person, phone, fax, and email address) is complete on the sign-in sheet. Addendums will be issued accordingly.

Electronic version - an electronic version can be sent by emailing: jrhenderson@columbus.gov or bslewie@columbus.gov.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

(<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 17, 2010

BID OPENING DATE - January 6, 2011 11:00 am

SA003783 - FLEET/PLANNING- OPERATIONS/AERIAL TRUCK

1.1 Scope: It is the intent of the City of Columbus, Division of Planning and Operations to obtain formal bids to establish a contract for the purchase of two (2) diesel powered, aerial truck chassis with Eaton Hybrid options. The trucks will be used by the Traffic Operations Section. This bid will be posted for thirty (30) days, effective November 30, 2010 - January 6, 2011.

1.2 Classification: The contract resulting from this bid proposal will provide for the purchase and delivery of new and unused conventional truck chassis with extended cab with a minimum GVW of 33,000 pounds equipped with an aerial boom. Successful bidder shall provide an authorized facility/company in Franklin County, Ohio or contiguous county to do the warranty work.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 01, 2010

SA003788 - R&P/UTC - RENTAL OF PORTABLE TOILETS

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1. Scope: This proposal is to provide the City of Columbus, Division of Recreation and Parks, with a Universal Term Contract (UTC) for the rental and maintenance of portable toilets, multi-stall mobile units, hand washing stations and grey water holding tanks. The Recreation and Parks Maintenance Department will be the main agency using this contract, however, various other City agencies will utilize it also. The estimated annual value of this contract is \$60,000.00. The contract will commence April 1, 2011 and be in effect through March 31, 2013.

1.2. Classification: Proposals shall reflect a rental fee for monthly, weekly and three-day rental periods on the following portable toilet units and/or amenities: standard portable single units, standard portable handicap units, multi-stall mobile units, portable hand washing stations, portable single units with amenities, grey water holding tanks, as well as a cost for additional cleaning services on each of the above listed units, if requested by the City. The bid for monthly rate installations of standard and handicapped portable toilet units shall be awarded to one (1) supplier. The City may elect to award as many secondary supplier contracts as it sees fit.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 04, 2010

SA003791 - Roadway Improvement - Guardrail

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Department of Public Service, is receiving proposals until 3:00 P.M., January 6, 2011, for the ROADWAY IMPROVEMENT - GUARDRAIL, CIP No. 530161-100092 project, 1677 Drawer A. Proposals are being received at the Department of Public Service, Office of Support Services, 109 N. Front St., Ground Floor, Security Desk, Columbus, OH, 43215. The purpose of the project is the repair of guardrail and fences within the City limits. The Department of Public Service is responsible for maintaining the City's roadway system in a safe manner. A guardrail and fence repair contract is needed to restore accident-damaged guardrails and fences, replace deteriorating structures and install new structures. This contract addresses guardrail and fence needs throughout the entire City of Columbus network, and such other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents. The Bid Submittal Documents are defined in the City of Columbus Construction and Material Specifications, 2002, as the bound manual which includes the advertisement for bids, special provisions, the proposal forms, proposed guaranty, contract forms, supplemental specifications, standard drawings (if included), and other notices. The work under this contract shall be completed in a manner acceptable to the City by March 22, 2012.

1.2 Classification: Prevailing wage rates apply. The bidder is required to submit a proposal bond in the form provided in the Bid Submittal documents. The amount of the guaranty shall be expressed in dollars and cents or as a percentage of the bid amount, and shall not be less than ten (10) percent of the bid, including all alternates submitted which increases the bid. Each offeror shall submit with its bond an active City of Columbus Contract Compliance Certification Number, or a completed application for certification. Proposal booklets can be purchased at 109 N. Front St, Room 301 for \$10.00 per proposal booklet. A pre-bid meeting will not be held. All questions concerning the project are to be sent to capitalprojects@columbus.gov. The last day to submit questions is December 27, 2010 at 10:00 am. Responses will be posted on the Vendor Services web site as an addendum and an e-mail will be sent to each firm who purchased plans. Phone calls will not be accepted.

For additional information concerning this bid go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov/e-proc/>) and view this solicitation number in the open solicitations listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: December 18, 2010

BID OPENING DATE - January 12, 2011 3:00 pm

SA003794 - CANYON DR AREA WATER/STORM IMPROV

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: The City of Columbus Department of Public Utilities, is receiving proposals for the Canyon Drive Area Water Main Improvements CONTRACT NO. 1107, PROJECT NO. 690236-100020 & CIP 749.1 Lenappe Drive/Canyon Drive Stormwater System Improvements. The work for which proposals are invited consists of rehabilitation of existing water mains, construction of new water mains, and installation of new storm water improvements for the area. Work will also include paving and other such work as may be necessary to complete the contract in accordance with the plans (C-1107 and CC-15663) and specifications. All work shall be completed within 180 days from the date of the Notice to Proceed.

CLASSIFICATIONS: There is not a Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal guaranty (proposal bond or certified check) and a 100% (one hundred percent) performance and payment bond are required for this bid. Plans are available to prospective bidders after December 15, 2010. The Bid Date for the project is January 12, 2011.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: December 17, 2010

BID OPENING DATE - January 13, 2011 11:00 am

SA003793 - PLUMBING SUPPLIES UTC

1.1 Scope: It is the intent of this bid proposal to provide all agencies of the City of Columbus with a ? Catalog? firm offer for sale option contract(s) for the purchase of various plumbing supplies. The bidder shall submit standard published catalogs and price lists of items offered. The total annual estimated expenditure is two hundred and fifty thousand dollars (\$250,000.00). The proposed contract shall be in effect from the date of execution by the City to and including March 31, 2013.

1.2 Classification: The contract(s) resulting from this bid proposal will provide an option for the purchase and delivery of various plumbing supplies by any agency of the City from the catalogs listed.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: December 16, 2010

SA003797 - WATER/UTC - WEED & VEGETATION MGMT.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: This proposal is to provide the City of Columbus, Water Division, with a Universal Term Contract (UTC) for weed and vegetation management which will be used by various City agencies to eliminate weeds and vegetation from numerous locations within the City. It is estimated the City will annually require weed and vegetation spraying of over four-hundred seventy-four thousand (474,000) lineal feet and one-hundred twenty-one thousand (121,000) square feet of grounds and public ways. Additionally, twenty-thousand (20,000) gallons of weed control sterilant is to be sprayed exclusively on roadways annually. The Water Division, Public Utilities Department, will be the main agency utilizing this contract, however, various other City agencies will use it also. This contract will commence with the 2011 spraying season and extend through December 30, 2013.

1.2 Classification: Bidders are requested to submit pricing for various locations which will be serviced for weed and vegetation management. These various locations within the City have been divided into five (5) units referred to as Zones. These Zones are listed below:

1.2.1 Zones 1 thru 4 -- City Property: Zones 1 thru 4 refer to four (4) geographic quadrants of City Property. Bidders are requested to submit lineal and/or square footage pricing for these four (4) Zones, which are as follows:

Zone One - Northeast (Zone 1-NE);
Zone Two - Northwest (Zone 2-NW);
Zone Three - Southwest (Zone 3-SW); and,
Zone Four - Southeast (Zone 4-SE).

Within each of these four (4) Zones, Bidders shall provide pricing for additional locations that may require weed and vegetation service at a future date.

1.2.2 Zone 5 - Roadway Areas: Additionally, Bidders are requested to submit separate pricing for Zone 5 which refers to Roadway Areas that may require traffic control procedures.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 18, 2010

SA003795 - OCM-PS FOR FIRE/HEALTH EMERG GENERATORS

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain Request for Statements of Qualifications (RFSQ) to establish a contract for PROFESSIONAL ENGINEERING CONSULTING SERVICES FOR THE INSTALLATION OF EMERGENCY GENERATORS AT 3 FIRE STATIONS AND 2 HEALTH FACILITIES.

1.2 Classification: The scope of work shall include design and contract administration for construction of new emergency generators at 5 facilities including all related work on behalf of the Office of Construction management, to accommodate the operational needs of the Department of Public Safety, Division of Fire and the Department of Public Health.

For additional information concerning this bid, including obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 17, 2010

BID OPENING DATE - January 19, 2011 3:00 pm

SA003798 - DUBLIN RD WATER PLANT LOW SVC PUMP REPL

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

DUBLIN ROAD WATER PLANT LOW SERVICE PUMP REPLACEMENT PHASE I
CONTRACT NO. 1158, PROJECT NO. 690494-100001

SCOPE:

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 4th Floor, 910 Dublin Road, Columbus, Ohio 43215, until 3:00 P.M. local time on January 19, 2011 and publicly opened and read at the hour and place for construction of the Dublin Road Water Plant Low Service Pump Replacement Phase I, Contract No. 1158, Project No. 690494-100001.

The work for which proposals are invited consists of furnishing all materials, equipment, and labor necessary for the replacement of two vertical turbine pumps including related intake and discharge piping, valves and accessories; replacement of one flow tube; demolition of HVAC boiler unit; installation of two variable frequency drive units, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Bid Documents will be available to perspective bidders on December 20, 2010.

CLASSIFICATION:

A pre-bid conference for this project will be held on January 4, 2011 at 9:00 a.m., at the Dublin Road Water Plant, 940 Dublin Road, Columbus, Ohio 43215. This conference is not mandatory; however, bidders shall comply with and be responsible for the information discussed at the pre-bid conference. A brief tour of the affected plant and site areas will be conducted following the pre-bid conference. Any Bidder wishing to inspect the work in the plant must furnish their own steel toe shoes/boots and safety glasses/goggles. A second tour of the affected plant and site areas will be held on January 7, 2011. This second tour will start at 9:00 a.m. at the Dublin Road Water Plant, 940 Dublin Road, Columbus, Ohio 43215. Prevailing wage rates apply to this project. A 10% (ten percent) proposal bond and a 100% (One hundred percent) performance bond are required for this bid.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing. From the solicitation listing, click on the box marked ?continue? and open the Bidder?s Guide for this additional information.

OBTAINING CONTRACT DOCUMENTS:

Copies of the contract documents are available to prospective bidders through the office of Key Blue Prints, Inc., 195 East Livingston Avenue, Columbus, Ohio 43215 (Phone: 614-228-3285) (Website: www.plankey.com) upon payment of \$118.00 per set, none of which will be refunded and are available there on or after December 20, 2010. Checks for Contract Documents shall be made payable to Key Blue Prints, Inc. Copies of the Contract Documents are on file in the office of the Water Supply & Treatment Coordinator, Water Supply, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio 43215, Phone (614-645-7100). ORIGINAL PUBLISHING DATE: December 18, 2010

BID OPENING DATE - January 26, 2011 3:00 pm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003792 - UPGROUND RESERVOIR SITE NUMBER 2

COLUMBUS UPGROUND RESERVOIRS, RESERVOIR SITE NO. 2
CONTRACT NO. 1032, PART I, PROJECT NO. 690370

SCOPE:

Sealed Bids will be received by the Director of Public Utilities of the City of Columbus, Ohio, at 910 Dublin Road, Room 4015, Columbus, Ohio 43215, until 3:00 p.m. Local Time on January 26, 2011. The bids will be publicly opened and read thereafter in the first floor Auditorium.

The project consists of the construction of an upground reservoir including Class I dam embankment and a composite compacted clay liner bottom; inlet structure, outlet structure, overflow structure, associated piping, equipment, and site work. All work shall be as shown on the detailed drawings and as specified in these contract specifications.

Bid Documents will be available to perspective bidders on December 20, 2010

CLASSIFICATION:

A mandatory pre-Bid conference will be held at the City of Columbus? Bellpoint Maintenance Facility, 4544 State Route 257 S. Ostrander, Ohio 43061 on Wednesday, January 5, 2011 at 9:30 am. Following the pre-Bid conference, a tour will be given to allow Bidders an opportunity to inspect the project areas and facilities. The City will excavate test pits on the project site for Bidders to observe soil conditions. Bidders will be permitted to collect soil samples from these locations, if desired.

In addition, Bidders who are preparing bids as prime contractors are strongly encouraged to participate in a Pre-Bid vendor Workshop held in the first floor Auditorium at the City of Columbus Utilities Complex, 910 Dublin Road, Columbus, Ohio 43215 on Thursday, January 6, 2011 from 10:00 am to 12:00 pm. The purpose of this vendor workshop is to provide interested subcontractors the opportunity to meet with the prospective prime contractors.

Prevailing wage rates apply to this project. A 10% (ten percent) proposal bond and a 100% (One hundred percent) contract performance and payment bond are required for this bid.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing. From the solicitation listing, click on the box marked ?continue? and open the Bidder?s Guide for this additional information.

OBTAINING CONTRACT DOCUMENTS:

Copies of the Bidding Document Packet will be available to prospective bidders on or after December 20, 2010 at the following location:

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Pick Up Location: ms consultants, 2221 Schrock Rd., Columbus, OH 43229
Contact Name: Ken Ricker
Contact Phone Number: (614) 898-7100
Contact Fax Number: (614) 898-7570
Contact E-Mail: kricker@msconsultants.com

The Bidding Document Packet may be obtained by placing a deposit in the amount of \$1,000.00 per set and a second non-refundable check for \$200.00 per set payable to ms consultants. Contractors who prefer bidding documents shipped via UPS or FedEx shall provide an account number for payment of shipping charges. The unauthorized reproduction of the Bidding Document Packet is prohibited. Reproduction authorization may be obtained by contacting the City's Project Manager, Troy Branson, P.E., e-mail: TKBranson@columbus.gov, Fax No. (614) 645-6165

Copies of the Contract Documents are also on file for examination in the office of the Water Supply & Treatment Coordinator, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio 43215, Phone (614-645-7100), the office of ms consultants, inc., 2221 Schrock Road, Columbus, Ohio 43229, the office of URS Corporation, 277 West Nationwide Blvd., Columbus, Ohio 43215, Builder's Exchange of Central Ohio Plan Room, 1175 Dublin Road, Columbus, Ohio and the Minority Contractors and Business Assistance Center, 1393 East Broad Street, Columbus, Ohio.
ORIGINAL PUBLISHING DATE: December 16, 2010

BID OPENING DATE - January 28, 2011 3:00 pm

SA003796 - Prof Services-Oracle WAM Database Adm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

The City of Columbus, Ohio is soliciting a Request for Proposal (RFP) pursuant to Columbus City Code 329.14 from experienced professional consulting/engineering firms to provide Oracle WAM Database and System Administration for the City's Department of Public Utilities (DPU). In doing so, we wish to openly invite firms to submit their RFP for consideration during our review and selection process.

The purpose of this Request for Proposal is to solicit competitive, sealed, proposals to establish a contract for the term of five (5) years for system administration and database administration services for a computerized maintenance management system (CMMS) known as Oracle Work and Asset Management (WAM) used by the City of Columbus Department of Public Utilities. These services will include but are not limited to maintenance and upkeep on both hardware and software as suggested by DPU in collaboration with Department of Technology and Oracle. The servers that host Oracle WAM will be housed by DOT at their facility. Anyone acting as support will have to be approved by DPU and obtain or have knowledge of current and on-going DPU business practices and WAM usage.

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, Room 4002, Columbus, OH 43215 until 3:00 p.m., Local Time, on January 28, 2011.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 17, 2010

Public Notices

The link to the **Columbus City Health Code** pdf shall constitute publication in the City Bulletin of changes to the Columbus City Health Department's Health Code. To go to the Columbus City Health Code, click [here](#) (pdf).

The Columbus City Code's "**Title 7 -- Health Code**" is separate from the Columbus City Health Code. Changes to "Title 7 -- Health Code" are published in the City Bulletin. To go to the Columbus City Code's "Title 7 -- Health Code," click [here](#) (html).

**City of Columbus
City Bulletin Report**

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Number: PN0006-2010

Drafting Date: 12/18/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2010 Recreation and Parks Committee/Development Committee Meeting Notice

Contact Name: Carl Williams

Contact Telephone Number: (614) 645-2932

Contact Email Address: CGWilliams@columbus.gov

Body

Council Member Priscilla R. Tyson will host a Recreation and Parks Committee / Development Committee Meeting on the dates listed below. Unless otherwise noted, the meetings will begin at 5:30 P.M. in City Council Chambers, located on the second floor of City Hall, 90 West Broad Street, Columbus, Ohio.

A valid picture ID is needed to enter City Hall.

Persons wishing to address the meeting must fill out a speaker slip. These speaker forms will be made available in Council Chambers for the first half-hour of the meeting.

Thursday, February 18, 2010

Thursday, March 18, 2010 (Arts & Culture Briefing)

Thursday, March 25, 2010 (Arts & Culture Briefing)

Thursday, April 15, 2010

Thursday, May 20, 2010, 4:00 p.m.

Thursday, June 17, 2010, 3:00 p.m.

Thursday, July 15, 2010

Thursday, September 16, 2010

Tuesday, October 26, 2010, 4:00 p.m. (Monthly Hearing), 5:00 p.m. (Old Beechwold Historic District Designation Hearing)

Thursday, November 18, 2010

Thursday, December 16, 2010 (Budget Hearing, 5:00 pm)

Agendas for these meetings will be posted on www.columbuscitycouncil.org/tyson as soon as possible.

Legislation Number: PN0010-2010

Drafting Date: 12/23/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2010 German Village Commission Meeting Schedule

Contact Name: Randy Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

German Village Commission 2010 Meeting Schedule

The German Village Commission has its Regular Meeting the 1st Tuesday of every month (barring Holiday exceptions). Copies of

the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036 or TDD 645-6802.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (German Village Meeting Haus 588 S Third St.) 4:00pm
December 22, 2009	December 29, 2009	January 5, 2010
January 19, 2010	January 26, 2010	February 2, 2010
February 16, 2010	February 23, 2010	March 2, 2010
March 23, 2010	March 30, 2010	April 6, 2010
April 20, 2010	April 27, 2010	May 4, 2010
May 18, 2010	May 25, 2010	June 1, 2010
June 22, 2010	June 29, 2010	July 6, 2010
July 20, 2010	July 27, 2010	August 3, 2010
August 24, 2010	August 31, 2010	September 7, 2010
September 21, 2010	September 28, 2010	October 5, 2010
October 19, 2010	October 26, 2010	November 2, 2010
November 23, 2010	November 30, 2010	December 7, 2010
December 21, 2010	December 28, 2010	January 4, 2011
January 18, 2011	January 25, 2011	February 1, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
 Historic Preservation Office
 109 N. Front St. - Ground Floor
 Columbus OH 43215-9031

Legislation Number: PN0011-2010

Drafting Date: 12/23/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Brewery District 2010 Meeting Schedule

Contact Name: Randy F. Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

Brewery District Commission 2010 Meeting Schedule

The Brewery District Commission has its Regular Meeting the 1st Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule, please call 645-8036 or TDD 645-6802.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
December 24, 2009	December 30, 2009	January 7, 2010
January 21, 2010	January 28, 2010	February 4, 2010
February 18, 2010	February 25, 2010	March 4, 2010
March 18, 2010	March 25, 2010	April 1, 2010
April 22, 2010	April 29, 2010	May 6, 2010
May 20, 2010	May 27, 2010	June 3, 2010
June 17, 2010	June 24, 2010	July 1, 2010
July 22, 2010	July 29, 2010	August 5, 2010
August 19, 2010	August 26, 2010	September 2, 2010
September 23, 2010	September 30, 2010	October 7, 2010
October 21, 2010	October 28, 2010	November 4, 2010
November 18, 2010	November 24, 2010*	December 2, 2010
December 23, 2010	December 30, 2010	January 6, 2011
January 20, 2011	January 27, 2011	February 3, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0012-2010

Drafting Date: 12/23/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Victorian Village Commission 2010 Meeting schedule

Contact Name: Randy Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

Victorian Village Commission 2010 Meeting Schedule

The Victorian Village Commission has its Regular Meeting the 2nd Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036 or TDD 645-6802

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
December 31, 2009	January 7, 2010	January 14, 2010
January 28, 2010	February 4, 2010	February 11, 2010
February 25, 2010	March 4, 2010	March 11, 2010
March 25, 2010	April 1, 2010	April 8, 2010
April 29, 2010	May 6, 2010	May 13, 2010
May 27, 2010	June 3, 2010	June 10, 2010
June 24, 2010	July 1, 2010	July 8, 2010
July 29, 2010	August 5, 2010	August 12, 2010
August 26, 2010	September 2, 2010	September 9, 2010
September 30, 2010	October 7, 2010	October 14, 2010
October 28, 2010	November 4, 2010	November 11, 2010
November 25, 2010	December 2, 2010	December 9, 2010
December 30, 2010	January 6, 2011	January 13, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0013-2010

Drafting Date: 12/23/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Italian Village Commission 2010 Meeting Schedule

Contact Name: Randy F. Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

Italian Village Commission 2010 Meeting Schedule

The Italian Village Commission has its Regular Meeting the 3rd Tuesday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036 or TDD 645-6802.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
January 5, 2010	January 12, 2010	January 19, 2010
February 2, 2010	February 9, 2010	February 16, 2010
March 2, 2010	March 9, 2010	March 16, 2010
April 6, 2010	April 13, 2010	April 20, 2010
May 4, 2010	May 11, 2010	May 18, 2010
June 1, 2010	June 8, 2010	June 15, 2010
July 6, 2010	July 13, 2010	July 20, 2010
August 3, 2010	August 10, 2010	August 17, 2010
September 7, 2010	September 14, 2010	September 21, 2010
October 5, 2010	October 12, 2010	October 19, 2010
November 2, 2010	November 9, 2010	November 16, 2010
December 7, 2010	December 14, 2010	December 21, 2010
January 4, 2011	January 11, 2011	January 18, 2011
February 1, 2011	February 8, 2011	February 15, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
 Historic Preservation Office
 109 N. Front St. - Ground Floor
 Columbus OH 43215-9031

Legislation Number: PN0014-2010

Drafting Date: 12/23/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Historic Resource Commission 2010 Meeting

Contact Name: Randy F Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

Historic Resource Commission 2010 Meeting Schedule

The Historic Resource Commission has its Regular Meeting the 3rd Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least

forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036 or TDD 645-6802.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
January 7, 2010	January 14, 2010	January 21, 2010
February 4, 2010	February 11, 2010	February 18, 2010
March 4, 2010	March 11, 2010	March 18, 2010
April 1, 2010	April 8, 2010	April 15, 2010
May 6, 2010	May 13, 2010	May 20, 2010
June 3, 2010	June 10, 2010	June 17, 2010
July 1, 2010	July 8, 2010	July 15, 2010
August 5, 2010	August 12, 2010	August 19, 2010
September 2, 2010	September 9, 2010	September 16, 2010
October 7, 2010	October 14, 2010	October 21, 2010
November 4, 2010	November 11, 2010	November 18, 2010
December 2, 2010	December 9, 2010	December 16, 2010
January 6, 2011	January 13, 2011	January 20, 2011
February 3, 2011	February 10, 2011	February 17, 2011

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0015-2010

Drafting Date: 12/23/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Board of Commission Appeals 2010 Meeting Schedule

Contact Name: Randy F Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

Board of Commission Appeals 2010 Meeting Schedule

The Board of Commission Appeals has its Business Meeting the last Wednesday of every other month (as necessary and barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036 or TDD 645-6802.

Business Meeting Dates
(1st fl. Conf. Rm, 109 N. Front St.)
12:00pm

January 27, 2010
March 31, 2010
May 26, 2010
July 28, 2010
September 29, 2010
November 24, 2010
January 27, 2011

Legislation Number: PN0023-2010

Drafting Date: 01/04/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

**OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS**

Notice/Advertisement Title: Civil Service Commission Notice

Contact Name: Annette Bigham

Contact Telephone Number: 614.645.7531

Contact Email Address: eabigham@columbus.gov

Body

OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ON-LINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. TO 4:00 P.M.
MONDAY, WEDNESDAY, or THURSDAY.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our website at www.csc.columbus.gov and is also posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Applicants interested in City jobs should check our website or visit the Commission offices.

Legislation Number: PN0060-2005

Drafting Date: 02/23/2005

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Published Columbus City Health Code

Contact Name: Roger Cloern

Contact Telephone Number: 654-6444

Contact Email Address: rogerc@columbus.gov

Body"The Columbus City Health Code is updated and maintained by the Columbus Health Department.

To view the most current City Health Code, please visit:

www.publichealth.columbus.gov

Legislation Number: PN0297-2010

Drafting Date: 11/17/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Tentative Schedule for Mayor's Proposed 2011 Budget

Contact Name: Kenneth C. Paul

Contact Telephone Number: 645-2931

Contact Email Address: KCPaul@columbus.gov

Body

2011 Budget Schedule (Tentative)

Friday, November 19, 2010

Budget ordinances filed with City Clerk's office

Monday, November 22, 2010

Mayor's budget ordinances appear on council agenda (tabled indefinitely pending public hearings)

Saturday, November 27, 2010

Mayor's proposed budget ordinances appear in the City Bulletin for the first time (Public Notice Section)

Wednesday, December 1, 2010-5:30 PM*

Administration Committee Budget Briefing

Thursday, December 2, 2010 - 6:00 PM

Budget Briefing - Presentations by Auditor Hugh J. Dorrian & Mayor's Administration*

Saturday, December 4, 2010

Mayor's proposed budget ordinances appear in the City Bulletin for the second time (Public Notice Section)

Wednesday, December 8, 2010 -5:30 PM*

Public Service and Transportation and Minority and Small Business Development Committee Budget Briefings

Thursday, December 9, 2010 - 5:30 PM*

Finance & Economic Development Committee and Public Safety Committee Budget Briefings

Tuesday, December 14, 2010 - 5:30 PM*

Housing, Health, and Human Development Budget Briefing Part #1

Wednesday, December 15, 2010 - 5:30 PM*

Housing, Health, and Human Development Budget Briefing Part #2

Thursday, December 16, 2010 - 5:30 PM*

Recreation and Parks/Development Budget Briefings

Monday, December 20, 2010 - 5:00 PM*

Budget Hearing - Public Comment

(Speaker slips will be accepted until 6:30 PM and meeting will last until last speaker testifies)

Thursday, January 6, 2011 - 5:00 PM*

Judiciary & Court Administration Committee Budget Briefing

Monday, January 10, 2011

Council Budget Amendment Request Deadline

Thursday, January 20, 2011 - 5:30 PM*

Budget Amendment Public Hearing

Monday, January 24, 2011

Council Meeting - budget ordinance on the agenda for 2nd reading, removed from the table, to be amended and tabled to **January 31, 2011**.

Wednesday, January 26, 2011

Electronic notice of amended budget ordinance

Saturday, January 29, 2011

Publication of ordinances as amended in Public Notice Section of City Bulletin

Monday, January 31, 2011

Council Meeting - anticipated passage date of budget ordinances as amended

Saturday, February 5, 2011

Ordinances published in the City Bulletin (ordinance section) as amended (must be published within 20 days of passage per City Charter)

**All dates are subject to change*

Legislation Number: PN0313-2010

Drafting Date: 12/07/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Building Commission December 21, 2010 Agenda

Contact Name: Pam Dawley

Contact Telephone Number: 645-2204

Contact Email Address: pjdawley@columbus.gov

Body
AGENDA
COLUMBUS BUILDING COMMISSION

DECEMBER 21, 2010 - 1:00 p.m.
757 CAROLYN AVENUE
HEARING ROOM - LOWER LEVEL

1. **ROLL CALL**
2. **APPROVAL OF NOVEMBER 16, 2010 MEETING MINUTES**
3. **ADJUDICATION ORDER A/O2010-021DLGD**
WILLIAM J. REES
4. **ADJUDICATION ORDER A/O2010-024FXR**
DAVID BAKER
4. **ITEMS FROM THE FLOOR (as approved by the Board)**

A sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call 645-6079 or TDD 645-3293. Should you have any questions regarding this policy, please contact the City of Columbus, Human Resources Department, at 645-6373.

Legislation Number: PN0319-2010

Drafting Date: 12/13/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Livingston Avenue Area Commission Official Notice of Vacancy

Contact Name: Bonita Lee

Contact Telephone Number: 645-7964

Contact Email Address: btleec@columbus.gov

Body

Livingston Avenue Area Commission
Official Notice of Vacancy
December 9, 2010

In accordance with the bylaws of the Livingston Avenue Area Commission (LAVA-C), this is a communication notifying the public of the vacancy of one position on the area commission.

The remaining term of office is: 1/1/11 - 12/31/11. The applicant awarded the position would be required to seek election by the public during the Commission's November 2011 general election.

For those interested in filling the position, please submit a typed resume that list at least 5 years of activity to:

Livingston Avenue Area Commission

c/o Michael Aaron

P.O. Box 6628

Columbus, OH 43206-6628

Resumes must be received by January 10, 2011.

Candidates must be in attendance at the January 11, 2011 special

Commission meeting where they will be required to verbally inform the commission and public of their qualifications.

Meeting location: *St. John's Learning Center*

640 S. Ohio Avenue, Cols., OH 43205

Meeting begins at 6:30 p.m.

Must be 18 years of age or older

Must be a resident of Livingston Ave. Area Commission area for at least 30 days prior to applying

Must be a registered voter

--

The Livingston Avenue Area Commission

City of Columbus

PO Box 6628

Columbus, OH 43206

www.livingstonave.com <<http://www.livingstonave.com>>

Legislation Number: PN0321-2010

Drafting Date: 12/14/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Recreation & Parks Commission Meetings

Contact Name: Eric L. Brandon

Contact Telephone Number: 614-645-5253

Contact Email Address: ebrandon@columbus.gov

Body

NOTICE OF REGULAR MEETINGS COLUMBUS RECREATION AND PARKS COMMISSION

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

- o Wednesday, January 12, 2011 - 1111 East Broad St, 43205
- o Wednesday, February 9, 2011 - 1111 East Broad St, 43205
- o Wednesday, March 9, 2011 - 1111 East Broad St, 43205
- o Wednesday, April 13, 2011 - 1111 East Broad St, 43205
- o Wednesday, May 11, 2011 - 1111 East Broad St, 43205
- o Wednesday, June 8, 2011 - 1111 East Broad St, 43205
- o Wednesday, July 13, 2011 - 1111 East Broad St, 43205
- o August Recess - No meeting
- o Wednesday, September 14, 2011 - 1111 East Broad St, 43205
- o Wednesday, October 12, 2011 - 1111 East Broad St, 43205
- o Wednesday, November 9, 2011 - 1111 East Broad St, 43205
- o Wednesday, December 14, 2011 - 1111 East Broad St, 43205

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Recreation and Parks Department, 1111 E. Broad St., Columbus, Ohio 43205 (Telephone: [614] 645-5253).

Legislation Number: PN0329-2010

Drafting Date: 12/15/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus City Council Special Meeting

Contact Name: John Ivanic

Contact Telephone Number: (614) 645-6798

Contact Email Address: JPIvanic@columbus.gov

Body

Columbus City Council has scheduled a Special Meeting, for the purpose of adjourning to executive session to consider the appointment of applicants to two vacancies on Columbus City Council.

Date: Thursday, January 6, 2011

Time: 10:00 a.m.

Location:

City Hall

Room 22

90 West Broad Street

Columbus, OH 43215

Legislation Number: PN0330-2010

Drafting Date: 12/15/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus City Council Special Meeting

Contact Name: John Ivanic

Contact Telephone Number: (614) 645-6798

Contact Email Address: JPIvanic@columbus.gov

Body

Columbus City Council has scheduled a Special Meeting for the purpose of adjourning to executive session to consider the appointment of applicants to two vacancies on Columbus City Council.

Date: Friday, January 7, 2011

Time: 10:00 AM

Location:

City Hal

Room 226

90 West Broad Street
Columbus, OH 43215

Legislation Number: PN0331-2010

Drafting Date: 12/15/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus City Council Special Meeting

Contact Name: John Ivanic

Contact Telephone Number: (614) 645-6798

Contact Email Address: JPIvanic@columbus.gov

Body

Columbus City Council has scheduled a Special Meeting for the purpose of adjourning to executive session to consider the appointment of applicants to two vacancies on Columbus City Council.

Date: Monday, January 10, 2011

Time: 4:00 PM

Location:

City Hall
Room 226
90 West Broad Street
Columbus, OH 43215

Legislation Number: PN0332-2010

Drafting Date: 12/15/2010

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Communications 121810

Contact Name: Toya Johnson

Contact Telephone Number: 645-7293

Contact Email Address: tjjohnson@columbus.gov

Body

THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS OF WEDNESDAY
DECEMBER 15, 2010.

Stock Type: C1, C2, D6
To: OM Shiv Shankar LLC
DBA Parkville Market
5705-07 Parkville St

Columbus OH 43229
Permit # 6547028

Transfer Type: C1, C2
To: Columbus Asia Market Inc
Columbus Asia Market
889 Bethel Rd
Columbus OH 43214
From: Columbus Asia Market
817 Bethel Rd
Columbus OH 43214
Permit # 16497780001

New Type: D2
To: Daniel Pizzurro
DBA Hilltop Café
2142 Sullivant Av
Columbus OH 43223
Permit # 69524490110

New Type: C1, C2
To: Hot Stop Drive Thru LLC
DBA Quicky Drive Thru
1201 N Wilson Rd
Columbus OH 43204
Permit # 4000188

Transfer Type: D1
To: Panda Express Inc
DBA Panda Express
2044 N High St
Columbus OH 43201
From: City Barbeque Inc
6199 Cleveland Av & Patio
Columbus OH 43231
Permit # 66679830005

New Type: D3
To: Trifitourway LLC
DBA R Studio
2756 Brice Rd
Columbus OH 43232
Permit # 9050198

Transfer Type: D1, D2, D6
To: Kekul & Ilu Inc
DBA Lidos Pizza Restaurant
2534-40 Bethel Rd
Columbus OH 43220
From: Lidos Pizza LLC
DBA Lidos Pizza Restaurant
2534-40 Bethel Rd
Columbus OH 43220
Permit # 4561800

Advertise: 12/18/2010
Return: 12/28/2010

Legislation Number: PN0333-2010

Drafting Date: 12/16/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Board of Zoning Adjustment December 28, 2010 Agenda

Contact Name: David Reiss

Contact Telephone Number: 645-7973

Contact Email Address: djreiss@columbus.gov

Body

AGENDA

BOARD OF ZONING ADJUSTMENT

CITY OF COLUMBUS, OHIO

DECEMBER 28, 2010

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, DECEMBER 28, 2010 at 6:00 P.M.** in the First Floor Hearing Room of the Department of Building & Zoning Services, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Department of Building & Zoning Services, 757 Carolyn Avenue, 645-4522.

SPECIAL NOTE TO THE APPLICANT: It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Department of Building & Zoning Services at 645-4522 at least four (4) hours before the scheduled meeting time.

1. Application No.: 10310-00430

Location: **1557 RICHMOND AVE. (43203)**, located on the north side of Richmond Avenue, approximately 110 feet east of Parkwood Avenue.

Area Comm./Civic: Near East Area Commission

Existing Zoning: R-3, Residential District

Request: Variance(s) to Section(s):

3332.38 (E), Private garage.

To allow a garage to cover more than 45% of the rear yard.

3332.38 (F), Private garage.

To increase the area of a garage from 720 square feet to 759 square feet.

3332.26, Minimum side yard permitted.

To reduce the minimum side yard from 3 feet to 0 feet.

Proposal: To construct an addition to an existing garage.
Applicant(s): Dallas M. Smith
1557 Richmond Avenue
Columbus, Ohio 43203
Property Owner(s): Catherine M. Smith
1557 Richmond Avenue
Columbus, Ohio 43203
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov

2. Application No.: 10310-00432
Location: 717 NORTH HIGH STREET (43215), located at the southwest corner of Buttles Ave. & N. High St.
Area Comm./Civic: Victorian Village
Existing Zoning: C-4, Commercial District
Request: Variance to Section:
3312.49, Minimum number of parking spaces required.
To reduce the number of additional parking spaces from 14 to 0 and to reduce the required number of bicycle parking spaces from 2 to 0.
Proposal: To convert an art gallery into a restaurant.
Applicant(s): Julie Bullock; c/o Behal, Sampson, Dietz
990 W. 3rd Ave.
Columbus, Ohio 43212
Property Owner(s): White Cross Properties; c/o Julie Bullock; Behal, Sampson, Dietz
990 W. 3rd Ave.
Columbus, Ohio 43212
Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov

3. Application No.: 10310-00434
Location: 3417 NORTH HIGH STREET (43214), located at the northwest corner of W. North Broadway St. & N. High St.
Area Comm./Civic: Clintonville Area Commission
Existing Zoning: C-4, Commercial District
Request: Variance(s) to Section(s):
3372.604, Setback requirements.
To increase the allowable building setback from 10 ft. to from between 300 to 363 ft. along the High St. frontage.
3372.605, Building design standards.
To reduce the number of required vertical elements on the south elevation from 7 to 0 and to reduce the required window glass and interior visibility on the south elevation from 25% to 0%. Also, to reduce the required window glass and interior visibility on the east elevation from 25% to 17.2%.
Proposal: To renovate the exterior of an existing grocery store.
Applicant(s): The Kroger Co., an Ohio Corporation; c/o Bird & Bull; Andrew A. Gardner
2875 W. Dublin-Granville Rd.
Columbus, Ohio 43081
Property Owner(s): R. & M. Family L.P.
2179 S. Parkway Dr.
Columbus, Ohio 43221
Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov

4. **Application No.:** 10310-00439
- Location:** 1463 PARSONS AVENUE (43206), located at the southwest corner of Sheldon Ave. & Parsons Ave.
- Area Comm./Civic:** South Side Area Commission
- Existing Zoning:** C-4, Commercial District
- Request:** Variance to Section:
3372.604, Setback requirements.
To permit the establishment of parking on the side of a building.
- Proposal:** To construct an automobile parts store.
- Applicant(s):** John DelVerne; c/o Bayer Becker
6900 Tylersville Rd.
Mason, Ohio 45050
- Property Owner(s):** O'Reilly Automotive, Inc.
233 S. Patterson
Springfield, Missouri 65082
- Case Planner:** Dave Reiss, 645-7973
- E-mail: DJReiss@Columbus.gov

5. **Application No.:** 10310-00441
- Location:** 1887 RED FERN DRIVE (43229), located on the south side of Red Fern Drive, approximately 150 feet west of Johanne Street
- Area Comm./Civic:** Northland Community Council
- Existing Zoning:** SR, Suburban Residential District
- Request:** Variance(s) to Section(s):
3332.26, Minimum side yard permitted.
To reduce the minimum side yard from 5 feet to 0 feet.
3312.29, Parking space.
To reduce the size of a parking space from 9' x 18' to 8' x 18'.
3312.27, Parking setback line.
To reduce the minimum parking setback from 25 feet to 0'.
- Proposal:** To allow parking in the front yard.
- Applicant(s):** John C. Kessler
1887 Red Fern Drive
Columbus, Ohio 43229
- Property Owner(s):** Applicant
- Case Planner:** Jamie Freise, 645-6350
- E-mail: JFFreise@Columbus.gov

6. **Application No.:** 10310-00443
- Location:** 2760 BRICE ROAD (43068), located on the east side of Brice Rd., at the terminus of Chantry Dr.
- Area Comm./Civic:** None
- Existing Zoning:** C-4, Commercial District
- Request:** Variance to Section:
3312.49, Minimum number of parking spaces required.
To reduce the number of additional parking spaces from 44 to 0.
- Proposal:** To convert a cellular phone retail sales establishment into a restaurant.
- Applicant(s):** Dragon House Delaware, Inc.; c/o Jianqin (Vic) Chen
102 S. Corkwood Ct.

Property Owner(s): Pickerington, Ohio 43147
Galileo Apollo I Sub, L.L.C.; c/o Karen Lyons/Denise Harris
2500 Westfield Dr., Ste. 102
Elgin, Illinois 60124
Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov

7. Application No.: 10310-00448
Location: 4793 WINTERSET DRIVE (43220), located at the northwest corner of Rayne Ln. & Winterset Dr.
Area Comm./Civic: Northwest Civic Association
Existing Zoning: SR, Suburban Residential District
Request: Variance to Section:
3332.27, Rear yard.
To reduce the required rear yard from 25% of the lot area to 20% of the lot area.
Proposal: To construct an unheated, screened-in porch to the rear of a single-family dwelling.
Applicant(s): Joyce D. Copeland
4793 Winterset Dr.
Columbus, Ohio 43220
Property Owner(s): Same as applicant.
Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov

8. Application No.: 10310-00449
Location: 39 WEST MAYNARD AVE. (43202), located on the south side of Maynard Avenue, approximately 200 feet west of High Street.
Area Comm./Civic: University Area Commission
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
3312.43, Required surface for parking.
To allow parking on a gravel surface.
Proposal: To allow parking on a gravel surface.
Applicant(s): John and Maureen Byrne
3545 Schirtzinger Road
Hilliard, Ohio 43026
Property Owner(s): Applicant
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov

9. Application No.: 10310-00450
Location: 1091 OAK STREET (43205), located on the south side of Oak Street, approximately 120 feet west of South Ohio Avenue.
Area Comm./Civic: Near East Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
3332.38, Private garage.
To increase the height of a garage from 15 feet to 20 feet 6 inches.
Proposal: To construct a garage.
Applicant(s): Hugh A. Greentree and Mae L. Young
1091 Oak Street

Columbus, Ohio 43205
Property Owner(s): Applicant
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov

10. Application No.: 10310-00452

Location: **309 EAST COLUMBUS STREET (43206)**, located on the south side of East Columbus Street, approximately 40 feet west of South Grant Avenue.
Area Comm./Civic: German Village Area Commission
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
3332.26, Minimum side yard permitted.
To reduce the minimum side yard from 3 feet to 10 inches.
Proposal: To construct a garage.
Applicant(s): Curtis McKenzie
5917 Birch Bank Circle
Grove City, Ohio 43123
Property Owner(s): Sharon and Robert Wentzell
309 East Columbus Street
Columbus, Ohio 43206
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov

11. Application No.: 10310-00453

Location: **8363 GALLOP DRIVE (43065)**, located at the northwest corner of Gallop Drive and Highridge Drive.
Area Comm./Civic: Far Northwest Coalition
Existing Zoning: S-R, Suburban Residential District
Request: Variance(s) to Section(s):
3332.26, Minimum side yard permitted.
To reduce the minimum side yard from 5 feet to 3.49 feet.
Proposal: To raze and rebuild a deck.
Applicant(s): Michael J. Pastore
8363 Gallop Drive
Powell, Ohio 43065
Property Owner(s): Applicant
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov

12. Application No.: 10311-00426

Location: **3309 REFUGEE ROAD (43237)**, located on the south side of Refugee Road, approximately 500 feet east of Winchester Pike.
Area Comm./Civic: Southeast Community Coalition
Existing Zoning: C-4, Commercial District
Request: Special Permit(s) to Section(s):
3307.06, Special permits.
To allow the expansion of a non-conforming use.
Proposal: To construct a room addition to a single-family dwelling.
Applicant(s): Thomas Barnett
1791 Fairwood Avenue
Columbus, Ohio 43207

Property Owner(s): Suvit Saelim
3309 Refugee Road
Columbus, Ohio 43232
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov

Legislation Number: PN0334-2010

Drafting Date: 12/16/2010

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Board of Zoning Adjustment December 28, 2010 Appeals Agenda

Contact Name: David Reiss

Contact Telephone Number: 645-7973

Contact Email Address: djreiss@columbus.gov

Body

APEALS AGENDA

BOARD OF ZONING ADJUSTMENT

CITY OF COLUMBUS

DECEMBER 28, 2010

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, DECEMBER 28, 2010 at 6:00 P.M.** in the First Floor Hearing Room of the Building Services Division Offices, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building and Development Services Section, 757 Carolyn Avenue, 645-7314.

SPECIAL NOTE TO THE APPLICANT: It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:

1. 10312-00391
3903 WESTERVILLE ROAD
Northeast Area Commission
R, Rural

To Appeal Zoning Code Violation Order No. 10470-03471 issued on 9/1/2010 for:

1. 3312.43, Required surface for parking.
2. 3312.35, Prohibited parking.
3. 3305.01, Certificate of zoning clearance.

City Staff: Mark Welling

City Staff Phone: 645-0327

Appellant: Schmitt Investments, L.L.C., 3903 Westerville Rd., Columbus, Ohio 43224

Owner: Same as appellant

Attorney/Agent: Brent D. Rosenthal, 366 E. Broad St., Columbus, Ohio 43215